POLICE · BUDGET · EDITION

EDITED BY HAROLD FURNISS

FAMOUS CRIMES

PAST AND PRESENT

ONE · PENNY

YOUNG ROGER TICHBORNE ON THE "BELLA."

Vol. VII. No. 89.

The Tichborne Case.

Or the History of Arthur Orton, alias Thomas Castro, Claimant to the Estates and Baronetcy of Tichborne.

"Let me see now;
To get his place, and to plume up my will
In double knavery."

—SHAKESPEARE, "Othello," Act I., Sc. 3.

PART I.

THE entire annals of crime do not contain the record of a fraud which in any way can be compared to the celebrated Claim for the Tichborne Estates. It is not the magnitude of the claim, though the pretender demanded a rent-roll of over twenty thousand pounds, broad acres in the fairest part of England, and the dignity of a baronetcy dating from 1670, which gives the case its pre-eminence; but it is the unparalleled audacity with which an illiterate man posed as a member of the aristocracy, and, wonderful to relate, was believed in by members born in the purple, in spite of the fact that he could not read or write his mother tongue correctly, and had none of the instincts of a gentleman. More than this, when other criminals have been exposed and held up to obloquy, even their most ardent supporters have admitted that they were in the wrong, and while trying to make excuses for their misguided friends, have not questioned the finding of the jury; but though he was twice exposed as an impostor of the most flagrant type, though he was proved to be a perjurer, and a traducer of innocent women, though he was sent into durance vile for fourteen long years, and on his liberation published a confession which confirmed the statements of the prosecution, to his dying day The Claimant was believed in and supported by members of the very highest circles in the land, and regarded as a much-injured individual. Thief, liar, impostor, ex-convict, he was buried in a coffin bearing the name of the individual whom he had attempted to impersonate, and was honoured by a few as Sir Roger Tichborne.

To rightly understand the history of this wondrous fraud, we must first of all learn whom it was that The Claimant sought to represent, and how it came about that such an impersonation was possible.

When Sir Henry Tichborne, the seventh baronet, died, he left behind him four sons and a daughter, and there seemed to be very little prospect of the direct line failing. Fate, however, rules matters in an inscrutable way. His eldest son, Sir Henry Joseph, left six daughters, but no son, behind him, and was succeeded by his brother, Sir Edward, who had inherited the enormous Doughty estates before he came into the Tichborne title, and had added the name of Doughty to his patronymic. He left no male issue, but had a daughter, of whom we shall hear more presently. The third son, James, had two sons—Roger Charles, born in 1829, and Alfred Joseph, who was born ten years later. Sir Henry's youngest son died childless. Thus it will be seen that when Sir Edward's time came the estates, both of the Tichbornes, with the ancient title attached to them, and the lands which the baronet had inherited from the Doughtys, would naturally go to Sir Roger Charles, eldest son of his brother James, either at once or after his father had enjoyed them for a year or so. This Roger Charles is the important personage whom The Claimant claimed to be.

James Tichborne married Henriette Félicité, a natural daughter of Mr. Henry Seymour, of Knoyle, Wiltshire. All the Tichbornes were staunch Roman Catholics, and in those days marriages between members of the old Catholic families and Protestants were almost unheard of, the adherents of the older religion keeping their circle rigidly intact and intermarrying only with those of their own faith.

Henriette Félicité's mother was one of the Bourbon Contis, the most distinguished of French families, and Mrs. Tichborne was a true Frenchwoman. To please her, as well as to eke out the slender portion which always falls to the lot of a younger son, James Tichborne took up his residence in Paris, where Roger was born and where he was brought up till the year 1845. His education was hopelessly neglected until that year, when James, seeing that his son then stood in the direct line, took him to the celebrated Jesuit Institution at Stonyhurst to have him educated in a manner fitting the rank which he was apparently destined to hold in life. Young Roger was put among what the Jesuit Fathers called "The Philosophers," a body of youths who were too old for school discipline and who lived apart from the other inmates of Stonyhurst, being allowed more liberty than the ordinary schoolboy. There Roger learnt the rudiments of Greek and Latin, and managed to make some little headway in mathematics. All his childhood he had spoken nothing but French, and it was not till he went to Stonyhurst that he acquired enough English to carry on a respectable conversation; but he was quick at languages, and before he left the institution he had learnt to read and write English fluently, albeit he made a few slight mistakes in spelling, and but for a tendency to make use of French constructions, could pass fairly well for an Englishman. At any rate, he had mixed for three years with English gentlemen, and had acquired the hall-mark which stamps the British patrician anywhere, and which is never lost throughout life.

On leaving Stonyhurst, Roger obtained a commission in the 6th Dragoon Guards, or the Carabineers, and

joined his regiment at Dublin in October, 1849. This step was greatly against his mother's wishes, for with her French inclinations, she could not bear to think that her son was a British soldier. During the short time that Roger Tichborne was in the army—he resigned his commission in 1852—his regiment was stationed successively at Dublin, Cahir, Clonmel, and Canterbury. With his men, his French mannerisms told against him, and among his brother officers he was tolerated rather than liked, and was the butt of the mess. For all that, when he sold out he parted on the best possible terms with the regiment.

Before he resigned, however, another party had entered into his life, and we must go back a little while to see how this presence affected Roger's career. During the days when he was at Stonyhurst, Roger was in the habit of spending his holidays in England, at one time with the Seymours, at another with other relations, but by far the most frequently with his uncle, Sir Edward, who, we have said, had assumed the name of Doughty. While stopping at Tichborne, Roger got very fond of his cousin Kate, or Catherine Doughty. When the boy merged into the cavalry officer, this affection developed into love, and though Roger had never openly declared his passion, it was far from hid from the watchful eyes of Lady Doughty. At first she was inclined to favour it, but rumours of what was then considered fast life reached her ears, though nowadays we should hardly condemn a man as a rake because he smoked cigars in the morning, and her fears for her daughter led her to speak to Sir Edward, who gently told Roger that he must seek elsewhere for a wife. This took place in 1851, and Roger returned to his regiment.

He had hardly got settled down again in his barrack quarters when he was summoned in hot haste to Tichborne. Sir Edward was very ill, and it was feared that he was dying. On what he thought was his deathbed, the baronet gave his consent to Roger's suit, on the express conditions of a dispensation for the cousins marrying being obtained from the Pope, and the approval of James and Mrs. Tichborne being granted. Had this marriage been celebrated it would have ensured Kate Doughty remaining in the home of her childhood. Death stayed his hand, and Sir Edward got better, so the officer went back again to troop and squadron.

Within a year fresh rumours of wild life reached the ears of Lady Doughty, and she regretted the engagement of her daughter and nephew. Roger was not aware of this, and injudiciously pressed for an immediate marriage. He was met with a demand that he should not see his fiancée for three whole years, and should hold no communication whatsoever with her during that time. This he considered to be tantamount to his congé, and determined to take a prolonged tour in South America to heal his wounded heart. Before he went, however, he drew up a vow which he gave to his cousin, Kate Doughty, when they met for the last time on June 22, 1852. The vow ran as follows:

> "I make on this day a promise that if I marry my cousin, Catherine Doughty, this year, before three years are over, at the latest, to build a church or chapel at Tichborne to the Holy Virgin, in thanksgiving for the protection which she has thrown over us, and in praying God that our wishes may be fulfilled."

Now it must not be thought that this was merely the idea of a moment; for a long time Roger had had the intention of rebuilding the Catholic Church at Tichborne, which had been destroyed by fire, and had talked about making this votive promise for several months to his friend, Mr. Gosford.

It may with justice be said that Gosford was Roger's one real friend, and it will be seen later on how that gentleman defended his memory even at great detriment to himself. Gosford was the steward of the Tichborne estates, and naturally knew a good deal more about them than anybody else. There was another family man of business with whom we shall have to deal, and that was Mr. Hopkins, who for many years had been the solicitor to the Tichbornes. Roger took a dislike to this gentleman, and on the occasion of his coming of age differed very strongly from him on many matters. We are not, therefore, surprised to learn that when the young man made his will in the early part of 1852 he did not employ Mr. Hopkins, but got the document drawn up by another well-known lawyer, Mr. Slaughter.

The will was a very carefully thought out document, and was entirely the work of Roger himself, remaining to this day as a proof that, though he commenced his education late in life, he was no fool. At the end of his testament Roger added the passage: "My private wishes and intentions, as I intend to have them carried out if I live, I have confided to Mr. Vincent Gosford."

Now it was in Gosford's presence that Roger made the vow which we have given above. He sealed it up, having read it over to Gosford, and gave it to him to keep, not telling him that he was preparing another copy which he

ROGER TICHBORNE.
(From the only known portrait of the unfortunate gentleman.)

was going to leave with his lady-love, and in a letter written a few weeks later to Gosford Roger refers to the sealed packet again in the following terms: "I have written my will and left it with Slaughter, and the only thing I have left out is about the church, which I will only build under the circumstances which I have left with you in writing."

Having thus set his affairs in order at home, Roger prepared for his prolonged journey. It was not till March, 1853, that he was able to get a vessel which would suit him, but in that month he sailed from Havre for Valparaiso, in the French ship "La Pauline." By then he was comparatively well off. His uncle had died and his father was the reigning baronet; thus, as heir apparent, he received an allowance of £1,000 a year out of the estates. His original intention was to spend eighteen months in South America, then go on to India, and, after making a tour of the East, return to see if his fiancée would marry him, should she still be free.

As soon as Roger arrived at Valparaiso he planned out his tour He first went to Santiago, where he stayed for a

short time, then he went to Lima, and from that place returned to Valparaiso. He then set out for Buenos Ayres, crossing the Cordilleras, and thence marched to Rio de Janeiro, which town he reached in April, 1854, having been in South America about ten months. All the time that he was travelling he kept a daily journal, to which he refers from time to time in his letters, and it is not too much to assume that he sent copies of it home to his relations, as the following passage, which occurs in one of his letters to his mother, seems to indicate: "I have not time now to send you an extract of my daily journal to-day, but I shall write it out for you as soon as I shall have time."

As a sample of the style in which young Tichborne wrote we may as well quote another passage in this letter, which will show the trend of his mind when he was in South America, and which can be compared with some of the later letters stated by The Claimant to have been written by him:

"It is quite impossible for me to fix in any way the time of my return to England. The life which I am following suits my taste too well for me to leave it in a hurry, especially as my health is remarkably good, and promising to keep so for a long time to come. I left Santiago in the middle of the summer, which is the month of January, that is to say, on January 11, to cross the Cordilleras of the Andes. We did not, though, reach the foot of those high mountains till the morning of the third day, when we began to ascend the first chain of mountains; we got down the other side early in the afternoon; we pushed on without horses and mules, so as to be able to reach the foot of the second, but it was not possible for us to reach it that day. We had, therefore, to build up our camp and cook up our dinner, which we all took with great delight, as we had all of us very good appetites. After dinner we prepared our beds, which was nothing more than sheep-skins, and, after rolling ourselves in our cloaks, went fast asleep.

"I have seen certainly a great many countries in my life, but I never saw one where the sceneries which a person sees from the top of the Cordilleras of the Andes; for the wildness and magnificent scenery which he sees before him I don't think that there is anything to be compared to it in the world. . . ."

It is clear to anyone that this extract is the work of an educated man. The English, we admit, is not perfect, but the mistakes which occur therein—notably in the second paragraph—are not the mistakes of an illiterate Briton, but are purely due to the influence of the French language, which Roger spoke for sixteen years of his life. The frequent and peculiar use of the semi-colon is also noticeable and appears in almost all his letters.

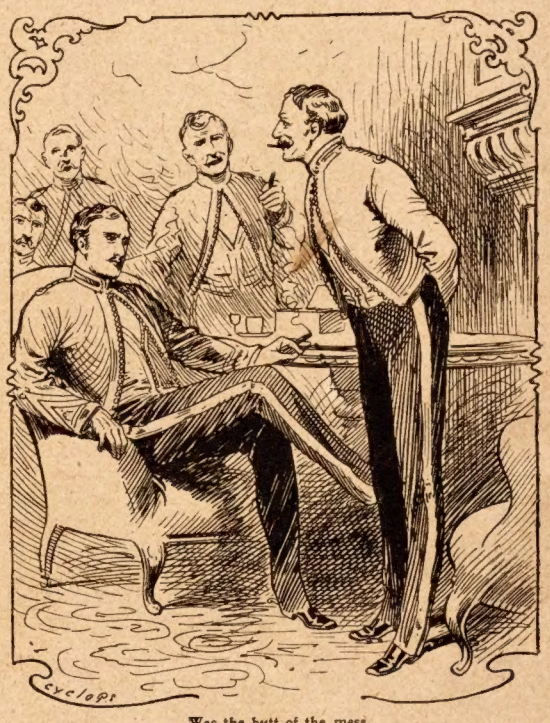
Having seen enough of South American scenery, Tichborne decided to go to Jamaica and tour through the West Indies prior to going to India. He accordingly took a passage on an English ship, the "Bella," bound for Kingston, and sailed in her on April 20.

The West Indies and the Pacific Ocean have long enjoyed a reputation for sudden and violent storms. Whether the "Bella" encountered one of these or not has never been discovered; all that is known is that four days after she sailed her long-boat was picked up in the open ocean, bottom uppermost, and surrounded by portions of wreckage which obviously belonged to the "Bella" and left no room for doubt but that she had sunk in the deep sea. No tidings of the passengers and crew ever came to hand, and after a time it was accepted as fact that the ill-fated vessel had gone down with all hands. Thus Roger Tichborne vanished off the face of the earth.

A year later Messrs. Slaughter and Gosford proved Roger's will and paid the little bequests which he had left behind him. Only one person could not be brought to believe that Roger was dead, and that person was Lady Tichborne, his mother. Argument was useless, and she kept a light burning in the hall at Tichborne, lest he should return some night and think that he was forgotten.

In 1854 Kate Doughty married Mr. Percival Radcliffe, a Yorkshire gentleman and heir to a baronetcy. In 1862 Sir James Tichborne died, and was naturally succeeded by his second son, Alfred, who only held the estates for four years; but they were four years too many, for he was a spendthrift, and left the property much involved. He died, leaving no living heir, but before he had been in his grave more than a few weeks a posthumous heir was born—Henry Alfred Joseph Doughty Tichborne—who was accepted as the owner of the estates and title.

We must now leave our aristocratic acquaintances for a short time and attend to persons in much humbler walks of life. In the late "twenties" there was established in High Street, Wapping, a prosperous shipping butcher, named George Orton. The man of meat had a large family, eight sons and four daughters calling him father. The youngest of his offspring was Arthur Orton, who was born in 1834. From his childhood Arthur had been a delicate lad, and was afflicted with St. Vitus's dance, a malady which



Was the butt of the mess.

rendered it very difficult for him to attend school as the other children did. As there seemed to be little chance of the disease giving way in the English climate, Mr. Orton decided to send his youngest son to sea for a time, in the hopes that the healthy life might effect a cure, and accordingly apprenticed him to Captain Brookes, of the ship "Ocean." Young Orton sailed in the "Ocean," and stayed with her as far as Valparaiso, but by then he had got tired of the rough life of a merchant service apprentice, and deserted when the vessel was lying in that port. From there he went inland to the little town of Melapilla, where he fell in with several friendly Spaniards, who made much of the little runaway English lad, and treated him as one of their own family.

Foremost among these charitable folk was Tomas Castro, with whom Arthur Orton lived, and, to increase his own importance, the lad told the good Spaniards stories of his distinguished connections in far-off England, posing as the possessor of blue blood. This was in the years 1849 and 1850. When young Orton had been at Melapilla for about eighteen months he got home-sick again, and longed for England. So long a time had passed since his deser-

tion at Valparaiso that he felt quite safe from arrest there, and went back to the port, where he signed articles on board the British ship "Jessie Miller," which was about to sail for London. He arrived in Wapping on June 11, 1851, quite cured of his St. Vitus's dance and grown into a fine, strong lad, somewhat clumsy, for all his family were large-boned folk, but nevertheless a presentable youth for his rank in life.

Little seems to have been said at home about the trick he had played them in leaving them in ignorance of his whereabouts for nearly two years, for, after all, the object of the voyage had been accomplished, and that was all that the father wanted. Once back in England, Arthur Orton started to work in his father's shop, and acquired a solid knowledge of butchery and slaughtering. Then he cast eyes on a Miss Loder, with whom he "walked out," and at length the couple considered themselves engaged. But the marriage was not to take place, for in November, 1852, Arthur was stricken with the desire to travel once more, and as his father had to send a couple of Shetland ponies to Hobart Town, Arthur arranged that he should accompany the animals to Tasmania, and act as butcher to the ship en route.

He did not part from Miss Mary Ann Loder without a pang, as the following letter, which he wrote while lying in the Roads off Deal, shows:

"Sunday Dec. 12 1852.

"DEAR MARY ANN:—I now take the first opportunity of wrighting to you which i hope will find you and your mother quite well as it leaves me at present the same. We have been lying here ever since we came away. We went away once but had to come back again it blew so hard. I hope you will write to me as soon as you can. If you write to me today i shall get it as we are lickely to lay here 3 or 4 days more yet. you must excuse my writen as the ship is piching very much. we lost one of our anchor last night it blew so hard that it very near blew us on the sand. I hope you will not show this to any one as it is wrote so bad. if i get a letter from you i will write again so Good-bye. give my love to all enquireen friends and except the same from your affectionate Friend, ARTHUR ORTON. You must put them directions on the Letter Dear. Mr. A. Orton, on board the ship 'Middleton,' Capt. Storie, for Hobart Town now at Deal."

It was not till the middle of May, 1853, that our young butcher reached Hobart Town, and, having disposed of the ponies according to his instructions, he entered the service of one of the local butchers in that town as a slaughterman. There he remained for some time, and then went up country as a drover and stock-keeper in the employ of a Mr. Johnstone. Prior to leaving Hobart Town, however, he appears to have borrowed some money from a Mrs. Jury, who lived there, and, possibly in the hurry of leaving, he forgot to pay it back.

BACK TO TROOP AND SQUADRON.

In March, 1854, while still at Hobart Town, Arthur wrote to his sister, saying:

"I received a Letter from Mary Ann Dated 30 Decr. she say they receved a Letter from you so i suppose by that you have been a long while there. Mary ann says she wrote Four times but this is the first i receved. Capt. Angel was here some time ago, but he brough no Letters. I have wrote to George several times but never receved an answer let me know my Dear sister weather you have heard from him or not. i feel very ancius to know. . . . I shall never go to England again Dear lisy. i have made my mind to that. I am now living with Mr. W. Ladds of Elizaberth Street."

Mr. Johnstone's farm was at Mewburn Park, Australia, and thither Orton crossed over from Hobart; that was in the year 1855. A year later Orton changed masters again, and shifted to Boisdale, a farm belonging to Mr. Foster. He appears to have got on rather well,

for he was soon sent to Dargo, another of his master's farms, as manager, and later recalled to Boisdale, where he was a sort of head man.

Then he left Foster's employ, and went to Flodden Creek, Sale, and finally to Reedy Creek, where he mistook a neighbour's horse for his own, and a warrant for his arrest was issued without delay. In those days the Colonials had a sharp method of dealing with horse thieves, and Orton disappeared entirely lest he should experience that method. Thus we lose a second character in our history.

Now we come upon a third party, whom we meet under a name which he tells the world is assumed, and the question of his identity occupied the highest legal talent in the world for more than seven years.

As has been recorded, the Dowager Lady Tichborne steadily refused to believe that her eldest son, Roger, had perished in the ill-fated "Bella," and lived in hopes that one day he would reappear and claim his own. She fed her belief on the random tales of needy mariners who

They met for the last time.

knew that a rumour, however vague, of a survivor of the "Belle" being heard of in Timbuctoo, or fishing for pearls in the Bay of Bahrein, would be rewarded with a present of gold if carried to the ears of the bereaved mother. During his lifetime her husband protected her from these harpies, but still her belief never wavered, and when she had laid him in the grave she devoted the rest of her life to a search for the missing baronet. In the year 1863 she started advertising for her long-lost son, and when in 1865 she heard that a survivor of the "Bella" had reached Australia, she at once communicated with a Mr. Cubitt, who kept a bureau for the discovery of lost friends in Sydney, and gave him instructions to prosecute the search with vigour beneath the Southern Cross. This he did, and thus unconsciously started the celebrated case which bade fair to become a question of almost national importance.

About three hundred miles south-west of Sydney stands the little town of Wagga Wagga. In 1863 there was settled there a man who was employed in the butcher's shop of a Mr. Higgins, who joined the purveying of meat with hotel-keeping. This man was a fine, brawny fellow, with light hair and blue eyes, strangely inconsistent with his Spanish name of Tomas Castro. From time to time, in conversation, he had hinted that he belonged to a different walk in life to that he was then occupying, and occasionally went as far as to say that some day he would come into his property. Beyond this he had no particular reputation in the township, except for being a very expert slaughterman.

After working for a time with Mr. Huggins, Castro set up in business for himself, but he did not meet with success, and in 1865 sought the assistance of an attorney, named Gibbes, with a view to going through the Bankruptcy Court. Gibbes took the matter up for him, and while Castro was giving him instructions for filing his petition, Gibbes's suspicions were aroused by his client asking him what would happen if he omitted to mention in his schedule some entailed property in England. Now, Gibbes was a friend of Cubitt's, and knew all about the missing baronet, though at the moment it had escaped his memory. When, however, he got home that evening, he mentioned the curious question to his wife, who at once showed her spouse a copy of the "Melbourne Argus," in which appeared the following advertisement:

> "A handsome reward will be given to any person who can furnish such information as will discover the fate of Roger Charles Tichborne. He sailed from Rio Janeiro on April 20, 1854, in the ship 'La Bella,' and has never been heard of since, but a report reached England to the effect that a portion of the crew and passengers of a vessel of that name was picked up by a vessel bound to Australia—Melbourne, it is believed. It is not known whether the said Roger Charles Tichborne was among the drowned or saved. He would at the present time be about thirty-two years of age, is of a delicate constitution, rather tall, with very light brown hair and blue eyes. Mr. Tichborne is the son of Sir James Tichborne, now deceased, and is heir to all his estates."

This was enough for Mr. Gibbes, who at once wrote to Cubitt, saying that he believed he had "spotted" the missing baronet.

But the advertisement had not only caught the eye of the attorney's wife; it had also been seen by a Hampshire man, named Slate, who jokingly pointed it out to Castro—"the future heir to property." Castro looked wise, and said nothing; but he saw a way out of his bankruptcy which he was not slow to avail himself of. He was tall, fair, had blue eyes and light brown hair, and altogether might answer the description as well as another. He was too wily to declare himself at once, but waited for developments, the first move in the game having been played by his adroit question to Gibbes.

When next Castro called on his attorney the latter put a few leading questions to him about the climate of South America, and incidentally mentioned what a terrible thing it must be to be shipwrecked. Mr. Castro gave a few casual particulars about the climate, and, shuddering, remarked that no one who had not been shipwrecked could imagine the horrors through which the distressed sailors had to go. He walked home perfectly satisfied that his bait had taken, while Gibbes was more convinced than ever that he had found the missing man.

A few days later Castro "accidentally" met Gibbes. To the lawyer's astonishment, he noticed that his client was smoking a pipe on which were carved the initials "R. C. T." Gibbes could not resist the temptation, and asked:

"Shall I call out your real name?"

"No, for God's sake, don't!" exclaimed Castro.

"Nonsense!" continued the attorney. "It's all right with me; you are Tichborne."

"Is that so? Perhaps you're right," replied the butcher.

Cubitt, as can be imagined, lost no time in writing to the Dowager Lady Tichborne, saying that he imagined he could find her son. He could not, however, give her his

address, as Gibbes refused to say where the hidden baronet was until he received the lion's share of the reward. Three months were occupied in negotiations between Cubitt and the dowager and Gibbes and Cubitt, and matters did not appear to progress at all. Castro had given up butchering and was living on money supplied him by Gibbes, who doubtless hoped to receive the same a hundredfold when the baronet should have received his just dues, besides being possibly appointed family solicitor to the Tichbornes.

At the end of the three months Gibbes and Castro began to get impatient, so they decided to attack the dowager themselves, and Castro wrote to her himself. Were it not for the pathos of the thing one could not help laughing at the poor Lady Tichborne for accepting the accompanying effusion as the letter of her son, the refined gentleman who had left her thirteen years before. Castro's epistle, or as much of it as has been preserved, runs thus:

THOMAS CASTRO'S SHOP AT WAGGA WAGGA.

"Wagga Wagga, January 17th, 1866.

"My dear Mother,—The delay which has taken place since my last Letter, Dated 22nd April, 54, Makes it very difficult to Commence this Letter. I deeply regret the truble and anxsity I must have cause to you by not writing before. But they are known to my attorney and the more private details I will keep for your own Ear. Of one thing rest Assured that although I have been in A humble condition of Life I have never let any act disgrace you or my Family. I have been A poor Man and nothing worse. Mr. Gibbes suggest to me as essential That I should recall to your memory things which can only be known to you and me to convince you of my Identity. I don't think it needful My Dear Mother. Although I send them. Mamely the Brown Mark on my side. And the Card Case at Brighton. I can assure you My Dear Mother I have keep you promice ever since. In writing to me please enclose your letter to Mr. Gibbes to prevent unnesersery enquiry as I do not wish any person to know me in this country. When I take my proper position and title. Having therefore made up my mind to return and face the sea once more I must request to send me the Means of doing so and paying a fue outstanding debts. The passage Money and other expences would be over two Hundred pound, for I propose Sailing from Victoria not this Colonly And to sail from Melbourne in my own Name. Now to annable me to do this my dear Mother you must send me——"

The rest of this remarkable letter has been destroyed, but sufficient has been quoted to show the wonderful alteration in style and spelling which the thirteen years that elapsed between this letter and the one given before must have effected in Roger Tichborne.

Before this letter reached Tichborne, Sir Alfred, Roger's younger brother, had died, and Lady Tichborne wrote in distraction to the man she believed to be her son, acknowledging him as such, and entreating him to return to her at once, and this before she had received a single word describing him or had seen a line of his writing. She signed her letter "h. f. Tichborne," and the use made by the would-be Roger of this signature will be seen shortly.

To this letter Castro replied:

"My Dear And Beloved Mother,—I receved your note dated 25th Feb. and was very glad to hear you where quite well. I was very sorry to hear of poor Father and Alfred death. I hardly know my Dear Mother how you have borne the suspence of knowing my fate so long. You must not blame me mother for I believe fate had A great deal to do with it. I wrote to you on the 16th of Jan. for the first time since I been in Australia. I am trying to get away by the Panama rout which leaves Sydney on the 15th of June. But I do not know weather the Banker here will advance the money or not. . . . I remain, your beloved Son, "Roger Charles Tichborne."

While this letter was on its way to Tichborne to confirm Lady Tichborne in the belief that her son had been

found, by its striking resemblance to the composition of the Lieutenant of Carabineers, Castro had become a father. Shortly before he disclosed his name of Tichborne he had married a servant-girl of the name of Bryant, who was utterly illiterate, before a Wesleyan minister. Referring to the approaching addition to his family in a letter to Gibbes, in which he asks for more money, and assured him that his "kindness to me will be remembered more than a Medal of Honor on my breast," he writes:

> "I expect Mrs. Castro will be confined before Saturday. And believe me Sir I am more like a Manick than a B. of B.K. to think that I should have a son born in such a hovel."

The best, and most amusing, of commentators on the Tichborne correspondence, Mr. Atlay, considers that "B. of B.K." stands for "Baronet of British Kingdom," while "Manick" may or may not be meant for maniac.

The "B. of B.K." must have forgotten the usages of Tichborne a good deal during his sojourn in Australia, for he gave his baker, who was going home to the Motherland for a short time, an invitation to spend a month with him in his ancestral domains, in the following choicely-worded note, which might well serve as a model for intending hosts, and would doubtless relieve the monotony of the stereotyped forms in daily use:

> "At any time wen you are in England you should feel enclined for A month pleasure go to Tichborne in Hampshire Enquire for Sir Roger Charles Tichborne Tichborne Hall And you will fine One that will make you A welcome Guess But on no account memsion the name of Castro. Or alude to me being a Married Man. Or that I have being has a Butcher you will understand me I have no doubt.—Yours truly,
>
> "THOMAS CASTRO."

Where did The Claimant get his information from? is a question which naturally suggests itself to the reader at this point. First of all, he had the man Slate at hand, and obtained much local detail from him by adroitly putting questions. Then Cubitt had some information from Lady Tichborne, and although he did not make this over to Gibbes, the latter got to know enough for him to prosecute his inquiries from Castro with a view to establishing his identity, and Castro was sufficiently cunning to make use of the information thus obtained, even if he did make a mistake in the first instance, for he had a prodigious memory. Lady Tichborne was also in direct communication with Gibbes, and sent a letter giving a widely different story of her son from the one which he had heard from Castro himself. However, by the time it reached the attorney, Castro was away, having gone to Sydney to raise money. This last letter mentioned that Roger Tichborne was a Roman Catholic, and, inadvertently, Gibbes gave this information to Castro when next they met. Castro, nothing daunted, said that of course he was, but that he had married before a Wesleyan minister, as he did not want his identity disclosed. That matter settled, he was re-married privately, with the full rites of the Roman Church—as he said, for the benefit of his newly-born child.

The dowager also put Cubitt and Gibbes, and therefore Castro, on the track of a negro named Bogle, who had been a valet to Sir Edward Tichborne Doughty all his life, and Castro met him. By means of a few facts about the family which he had picked up, he soon convinced Bogle that he was really the rightful baronet, and from that time forward Bogle attached himself to his person. Thus The Claimant had a regular encyclopædia of the Tichborne family at his elbow for immediate reference.

Prior to going to Sydney on a money-hunting expedition, Castro made his will in the office of Mr. Gibbes, and a remarkable document it is. In the first place, he managed to forget his own mother's name, and interpreted H. F. Tichborne in his own fashion, bequeathing to his "mother Lady Hannah Frances Tichborne" instead of Lady Henriette Félicité Tichborne the whole of his property at Cowes, in the Isle of Wight. She would have been greatly benefited by this bequest if she had ever had to avail herself of it, for the entire Tichborne family did not possess a yard of land in the Isle of Wight. To his daughter he gave the whole of the Wymmering estate in Hampshire, the Hermitage in Dorsetshire (where, by the way, he first stated that he was born), and the property at Ryde, none of which properties ever belonged to the family.

As soon as our hero got to Sydney, Cubitt took him in hand, and among other things asked him about his career in the army. Castro said that he could really tell him nothing about it, as he had only been in the service for thirteen days, having enlisted in the 66th Dragoons as a private, and, having been bought out by his parents,

"Perhaps you're right!"

was at once sent abroad. This wondrous statement was made before the solicitor to the Bank of Sydney, from which house he was anxious to raise a loan.

The Bank did not seem convinced of the genuineness of the baronet, and asked him to write a Statutory Declaration, which he did, on the advice of Mr. Gibbes, who had come up to Sydney to be near his client. The declaration was to the effect that he was Roger Charles Doughty Tichborne, eldest son and heir-at-law of Sir James Francis Doughty Tichborne, of Tichborne Park. Furthermore, he stated that he had arrived at Melbourne on July 24, 1854; had left England in the ship "Jessie Miller" on November 28, 1852; sailed from Rio Janeiro April 26, 1854 in the "Bella," which was wrecked, and the boat in which he was was picked up by the "Osprey," Captain Owens, by which vessel he was conveyed to Melbourne, where he had first assumed the name of Castro.

The Bank was more or less satisfied with this statement; but when a man of high standing in Sydney, a Mr. Turville, secretary to Sir John Young, acknowledged The

Life of Charles Peace.

CHAPTER LVI.—(Continued).

THE sergeant was a big, bulky man, but owing to sundry potations he was a little groggy on his pins. He, however, felt very much inclined to give his assailant a sharp box on the ear, but the chances were if he did so that he would raise the ire of the male portion of the assembled throng, and prudence directed him to pass the matter over as lightly and good-humouredly as possible.

"A woman's more than a match for the best of us, mates," he said, in a jocular manner. "My principle is to let them have their own way. I never argufy with 'em—am too old a soldier for that."

The woman turned her back upon the young recruit and went half-way down the tavern passage; it was blocked up by soldiers, who appeared to be discussing the characters of their acquaintances.

"He's got an oil bottle in his pocket," were the first words she caught. "An' so has your brave 'listing sergeant," said the woman, "an' bad luck to him an' all such smooth-tongued varmints."

"Don't you speak ill of the sergeant, young woman," said a soldier. "He's a dooty to perform."

"Has he?"

"Yes, he's right enough, but I don't like a man as puts salt into his own beer and sugar in mine, at first sight, too. 'Tain't natural or seemly that he should."

"An' who be that there?" inquired the woman.

"Ah, no one as you knows," returned a rustic.

"But who be it, no matter whether it be my bis'ness or yourn?"

"An old man, my dear, as has been pouring melted butter down our backs, and talking to us as if we were all field-marshals or generals."

"Ye sodgers want to keep all the blarney to your own mouths. But what sort of man be he?"

"Short and dirty, like a winter's day, with a green shade over his eyes."

"A green shade!" exclaimed Mr. Wrench, glancing at Joe Doughty. "An old man—eh, my friends?"

"Well, he ain't a young one—leastways, to judge from his appearance."

"Appearances are sometimes deceptive," observed the detective.

"Well, that be true, guv'nor. We all on us find that out some time or another, but he ain't no good."

"There's some truth in what he said, though," cried another of the soldiers; "that it's us privates as wins all the battles, while the generals take good care to keep out of harm's way."

"Ah, my lad," said an old soldier, joining the group of idlers, "that's all very well as far as it goes, but you might as well put a horse in a gig and tell him to drive himself up to London as to set an army at an army without a general to hold the reins. But here we are—sorry soldiers, to block up the passage in this fashion, and none offering to move to make room for a pretty girl to pass."

This last observation applied to Nell Fulford, who had silently and quickly drawn towards the entrance of the passage.

"Now, then, soldiers, make yourselves a little less, and let this young woman pass."

Several of the men withdrew at once, and Mr. Wrench and Joe passed through and gained the public room beyond.

"Keep quiet. Our business is to watch, but don't either of you say anything till I address you," whispered the detective, as they took their way along.

The three entered the room, in a dark corner of which they seated themselves. Wrench ordered some beer and sandwiches, which were brought.

They all three of them glanced round the room, and soon perceived the subject of the soldiers' conversation. He was a bent, long-haired man, with a green shade over his eyes, and dressed in a kind of cloak with loose sleeves.

At the next table, with a huge cheese before him, and glass of cold brandy and water at his side, sat a stalwart, broad-shouldered man, with a hard, square cast of face.

Near the window lolled a young gentleman, who was well dressed and be-jewelled, and who had a lighted cigar between his kid-gloved fingers.

Mr. Wrench recognised these as the last-named two men who had been so energetic during the hustle.

"Bring us a greybeard of ale," said a rustic in a smock frock, who was seated near to the detective. (A greybeard is one of those jugs commonly used in ale-houses with the face of an old man on it.)

"That was a bad job," observed a rustic, addressing the man in the green shade, "that 'ere job in Larchgrove Lane."

"I've not heerd on it," said the man with the green shade; "what was it?"

When Nell Fulford heard the man with the shade speak she gave a start and half rose from her seat. Mr. Wrench placed his hand on her shoulder, and by a motion of his head signified that she was to remain quiet.

She obeyed, and shrank farther back into the corner, behind a settle, and listened with gleaming eyes.

Situated as she and her two companions were, they could not be seen by the man with the green shade.

The rustic who had already alluded to the tragedy now gave a brief account of the same for the edification of those present.

"These things are most horrible," exclaimed the young swell with the cigar. "Most terrible. What motive had the scoundrel? I suppose plunder."

"Noa, it warn't that," said the countryman. "Leastways, I think not," he added, drinking from his mug and setting it down upon the table with a bang. "It warn't done for money, measter—'cos ye see the young farmer hadn't bin robbed, so I've bin tould."

"No doubt it were done out o' spite or revenge."

"Like enough somethink o' that sort," observed the man with the shade, who, after this last observation, appeared to fall into a reverie.

"And be you a stranger in these parts, measter?" asked the countryman, with provincial curiosity. "If it be a fair question, leastways?"

"Yes, I only came here this morning. I want, if I can, to get——"

Nell Fulford could not remain longer passive. She bounded like a panther across the room and sprang upon the man with a horrible shriek which rang through the apartment with appalling distinctness.

"Wretch! murdering villain! We've found you at last!" she cried, clasping him by the neck with superhuman force. "It be he!" she shouted, in a voice of triumph, "it be Giles Chudley!"

The room was filled in an instant.

"The woman's mad!" exclaimed one of the new-comers, dragging her from the man.

"Mad!" she cried, and with inconceivable strength she broke from the man's grasp and darted upon the murderer of her sweetheart.

She tore off his wig, which she flung upon the floor.

The company assembled in the parlour of the Lord Cornwallis saw before them a man with fluttering, conscience-stricken eyes and hands clasped imploringly towards them.

"I am innocent!" he exclaimed. "Take her away."

Joe Doughty rushed forward, overset one of the tables as he went along, and sprang at the throat of Chudley.

"I'll ha' yer heart's blood!" he yelled, in a voice of concentrated passion.

He caught the affrighted man by the throat with both hands and pressed him against the wall.

Chudley's face became purple, and it was evident that he was being strangled.

"Leave go your hold," cried a soldier at the farther end of the room. "Do you want to kill the man?"

"I'll ha' his life, if I die for it!"

By this time the utmost disorder prevailed. Mr. Wrench came forward and besought Joe Doughty to release the culprit.

"I'll not let 'im go for you, nor no man!" cried Joe.

"We won't see murder committed," said several rustics. "Forward to the rescue!"

"Doughty, do as I bid you—let go your hold."

His first paroxysm of passion now having in a measure subsided, Joe released his man, upon whom Mr. Wrench had already slipped a pair of handcuffs.

"I did not do it!" exclaimed the prisoner.

"Did not do what?" said Joe Doughty, thrusting his fist within an inch of the pallid, mottled face. "Lying won't sarve you now; you're nabbed, and the hangman's rope is ready for you."

"He says he did not murder Mr. Philip Jamblin," cried Nell Fulford. "You see he knows what he is charged with, although he's never been in these parts afore this morning."

The landlord of the Lord Cornwallis now entered the room. He was in a great state of excitement, and became seriously concerned as he beheld a terror-stricken man upon whom the eyes of all those present were intently fixed.

"What is the matter, gentlemen?" inquired Boniface.

"Murder's the matter; that's all, my friend," answered Mr. Wrench. "And this man is my prisoner."

"Prisoner! Are you in the force?"

"I am a detective from Scotland Yard. I know my duty; let that suffice."

"It's no business of mine, that be sartin," said the landlord, "but I wish it had taken place anywhere but here. Howsomever, it can't be helped."

"What be goin' to do wi' yer man, measter?" cried a countryman.

"What do you suppose, you silly fellow?" answered Wrench; "take him to the lock-up, to be sure. Doughty, just go outside and bring in a policeman or two."

Joe returned with two policemen, who promptly obeyed the orders given by Wrench, who handed his prisoner over to them, and he was forthwith marched off to the village lock-up.

"Dall it all!" cried the countryman, "but this be but a sorry ending to the fair."

The young gentleman with the flowing locks and kid gloves had quietly withdrawn from the scene immediately after Nell had sprung upon Chudley; he was followed by the man who sat with the huge lump of cheese before him.

Their sudden flight struck Mr. Wrench as being a little singular; he, however, did not make any remark in reference to the same.

Mr. Wrench had frequently declared that he sometimes came upon a culprit of whom he was in search when he least expected, and this observation was borne out by the capture of Chudley, which was as unlooked for as it was extraordinary and fortuitous.

He had good reason to congratulate himself upon the issue. After seeing his man safely under lock and key he sent off that night a telegram to Broxbridge, informing Lord Ethalwood of the arrest of the accused.

Early on the following day he took his prisoner per rail to Broxbridge, Nell Fulford and Joe Doughty returning with him.

The prisoner's first examination before the bench of magistrates created a degree of excitement which was almost without a parallel. It so chanced that his examination took place on market day.

The news had spread abroad that the murderer of Phil Jamblin had been captured by a clever London detective who had been on his track for weeks past.

It also became known that he was to be had up before the bench of magistrates, of which no less a person than Lord Ethalwood himself was chairman; and his lordship was a "sharp 'un," they averred. "He could see his way through a four-inch deal board."

It was a busy day for Mr. Wrench when "his man," as he termed him, was brought before the "beaks." He had seen the earl immediately after his return, for the purpose of arranging all the necessary preliminaries.

Enough evidence would be offered to warrant a remand—there would not be much difficulty about that; but before the committal the case would have to be gone more fully into. Giles Chudley, in common with most criminals of his class, hoped to escape the punishment he so justly deserved.

He was advised by his friends to say nothing himself, but to engage a solicitor to defend him. He agreed to this proposition, and sent for a gentleman who was supposed to be a sharp practitioner.

His learned adviser told Chudley to leave the matter in his hands. He spoke so confidently, and was really so delighted in having the case, that the prisoner plucked up courage, and began to think that he should ride over the difficulties with which he was surrounded.

It was a most singular circumstance, but it was true, nevertheless, that Giles, who was but a poor farm-labourer, should have ample funds at his disposal to pay his solicitor handsomely for his defence.

As he alighted from the prison van, which drew up by the side of the courthouse, Giles was saluted with a storm of groans and hisses.

Mr. Philip Jamblin was a young man who had been universally respected, and his murderer, as a natural consequence, was as universally execrated, and, in all probability, had the populace got hold of him—had he not been protected by a cohort of constables and warders—he would have been subjected to Lynch law.

The magistrates had taken their respective seats, the chief clerk had mended and nibbed a favourite quill pen, Mr. Chicknell was busily engaged in arranging his papers at one of the tables in front of the chief clerk, and Mr. Wrench was rushing about in the greatest state of anxiety. He had his witnesses safely ensconced in an adjoining room.

The court was crowded to excess, and it is, perhaps, needless to say that it was about as inconvenient and ill-ventilated a one as it is possible to conceive.

Every eye was directed towards the prisoner as he entered the dock. Low murmurs arose from the crowd.

"Silence!—order!" shouted out the usher. "Hoosh! Less noise, if you please!"

Mr. Wrench was called. He gave a brief but circumstantial account of the arrest of the prisoner, Giles Chudley, together with a number of other immaterial matters relative to the case.

The worthy host of the Carved Lion was the next witness. He deposed to all the facts which had come to his knowledge on the night of the murder.

Mr. Slapperton, the prisoner's legal adviser, rose to cross-examine this witness.

"Pray, Mr. ——for the moment I forget your name."

"Brickett."

"Ah, yes—precisely! Well, Mr. Brickett, you say you saw a man stooping down and washing his hands in the pool at Larchgrove Green?"

"Certainly I did."

"Yes. Where had you come from—that is, what brought you to the Green?"

"Why, my legs, of course," returned Brickett.

At this there was a titter in the court, which was immediately suppressed by the watchful and industrious usher.

"Don't bandy words with me, man," said Slapperton. "I again ask you where you had been."

"To a customer of mine."

"Oh! Had you partaken of any refreshment, or, not to put too fine a point on the matter, had you been drinking?"

"I had not."

"You were perfectly sober?"

"About as sober as you are now."

At this last observation there was another titter.

"Your answers are by no means satisfactory, and personal remarks are both unseemly and impertinent," said the lawyer in a severe tone. "I will not ask you any further questions. The Court will be able to draw their own inference of your conduct and demeanour. You may stand down."

Henry Adolphus, radiant in his new livery, was placed in the box. His statement was much the same as that sworn to on the inquest.

"And that's all you know about the matter?" said Mr. Slapperton.

"Yes, sir, that is all," answered the footman.

"Look at the prisoner. Does he resemble the man you saw running across the fields?"

"I shouldn't like to say for certain, but he does resemble him."

"Oh, indeed! In what way?"

"In many ways. His eyes are like the man I saw, but since the night of the murder he has grown a beard."

"Be careful, sir," cried Slapperton. "He has grown a

beard since the night of the murder? You don't happen to know that he is not the man at all?"

"No, I do not happen to know that," returned Henry Adolphus. "My impression is that he is the man I saw."

"Why, just now you said you could not say whether he was or not. Do you know that you are contradicting yourself—perjuring yourself, in fact?" said the lawyer, turning triumphantly towards the bench.

"I think you are in error, Mr. Slapperton," said Lord Ethalwood. "The witness says he was, and still is, under the impression that the prisoner was the man. He has never said positively that he was. I think you will find that he has not contradicted himself."

"I bow to your decision, my lord," observed the lawyer. "It is quite clear that your servant is unable to identify the prisoner."

"Identification under the circumstances described must necessarily be difficult."

Mr. Slapperton bowed, and the witness left the box.

The witness did not make any reply. There was a dead silence in the court.

"Why do you not answer my question?" said the lawyer.

"I don't know that you have any right to put such a question."

"Oh, but I have," he returned with a chuckle; "a perfect right. You must allow me to be the best judge of that."

Mr. Chicknell came to the rescue. He rose, and, addressing the bench, said:

"I strongly object to any such question being put to the witness. It is irrelevant."

"I do not see that it bears upon the case," observed Lord Ethalwood, "but if Mr. Slapperton insists——"

"I do insist, my lord," cried Slapperton, "and I greatly object to Mr. Chicknell interfering with me in my line of defence. I have a duty to perform—a duty I shall not shrink from, but perform fearlessly. I think I shall be able to prove that the young man who is now under examination is innocent of the charge preferred against him."

CAUGHT THE AFFRIGHTED MAN BY THE THROAT.

Ellen Fulford was then called.

She gave a detailed account of her interview with the deceased in Dennett's Lane, and in addition to this she described the recognition and capture of the prisoner in the parlour of the "Lord Cornwallis."

She was infinitely more calm and self-possessed than she was when giving her evidence on the inquest.

Mr. Slapperton rose to cross-examine her.

"Pray, Miss Fulford, will you tell us whether you met Mr. Jamblin in Dennett's Lane by appointment, or was it an accidental meeting?"

"I waited for him, as I expected he would pass that way."

"Ah, I see; you desired to speak to him?"

"Yes, I did."

"I believe he was a lover of yours, was he not?"

"We had kept company and walked together."

"He was attached to you?"

"I believe he was."

"And you were also attached to him? The feeling was reciprocal, I suppose, eh?"

As he made these observations he thumped the table and looked defiantly round the court.

"If it is essential for you to have an answer from the witness it would be wrong for us to interfere. Proceed with your examination," said Lord Ethalwood.

The question was again put.

"He was my accepted suitor," said Miss Fulford, after some hesitation.

"You were engaged to be married to him?"

"He would have married me if he had lived," said the witness, bursting into tears.

Everybody in the court felt for her—everybody but her questioner. The situation in which she was placed was indeed a most painful one. But the pertinacious Mr. Slapperton was determined to make himself as conspicuous as possible.

"Pray, Miss Fulford, were you not acquainted some time ago with a person named Charles Peace?"

"I did know Mr. Peace when he resided in this neighbourhood."

"Ah, I thought so! And was he also a lover of yours?"

Miss Fulford became red with indignation.

"No, he was not. He paid me some attention, it is true."

"Very marked attention, was it not?"

"Mr. Slapperton, I think you are quite out of order," remarked one of the magistrates. "The man Peace has been in prison for some considerable time, and I for one strongly object to you introducing his name in this case."

"I shall not shrink from doing my duty," said Slapperton, perfectly unmoved.

The magistrates conversed together, after which the chairman said:

"My brother magistrates and myself think you are exceeding the limits which ought to circumscribe an advocate in a preliminary examination. It has nothing to do with the charge against the prisoner, and the fact of the witness having one or more admirers or suitors is matter altogether irrelevant. Good taste ought to guide you, and prevent any undue reference to subjects which must necessarily be painful to dwell upon or even to refer to."

"My object is to elicit the truth, my lord. The questions I have to put are perfectly relevant. You must pardon the observation, but I claim to be best judge in respect to my line of defence. The witness has already admitted that she received—I will not say encouraged—the attentions of Charles Peace, who at the present time is a convict undergoing a term of penal servitude."

"That is admitted."

"That being so, I have one or two other questions to put to the witness which, in the interest of my client, I am constrained to ask."

"Proceed, sir," said Lord Ethalwood haughtily.

"Pray, Miss Fulford, may I ask you if you are aware that the man Peace and the prisoner had a hostile encounter?"

"I believe they had."

"Oh, you believe so; you are not certain?"

"I was told so."

"By whom?"

"By many persons."

"By Peace himself?"

"No, not by him, but by the neighbours."

"Can you give us their names?"

"Mr. Brickett was one."

"And do you know also that the ill-fated Mr. Jamblin committed an assault upon Charles Peace?"

"I do."

"What was the reason for the assault in question?"

"Mr. Peace was rude to me in Dennett's Lane. He was in a violent passion, and dragged me forcibly along. I strove to get away and screamed, being terrified at the time. Mr. Jamblin rescued me."

"And did he strike Peace?"

"Yes, with a stick he was carrying."

"And did Peace leave the neighbourhood after that?"

"Yes, immediately afterwards."

"Were you attached to him?"

"Really, Mr. Slapperton, you are quite out of order," exclaimed Mr. Chicknell; "I object to the question."

"Oh, if you object, sir," returned Slapperton in a sarcastic tone, "then I presume the court will coincide with you."

Without waiting for the decision, Nell Fulford said in a loud voice:

"I was not attached to him."

"Thank you, madam; I am much obliged by your courtesy!" cried the persevering advocate in an ironical manner, casting at the same time a withering glance at Chicknell.

Mr. Slapperton was a bright sample of an unscrupulous cross-examiner. He was not to be put down.

It is true that the magistrates on the bench were gentlemen, but that did not matter to Slapperton. He had come into court to make a sort of gladiatorial display, to produce as much effect as possible, and, to do him justice, he did his best to carry out his object.

"I have been successful in getting certain admissions from the witness," said the lawyer, addressing himself to the bench; "and I suppose I may proceed with my cross-examination without further interruptions?"

"You are at liberty to ask what questions you deem requisite," said one of the magistrates.

"Do you know, Miss Fulford, if the late Mr. Jamblin ever met Charles Peace after the conflict in Dennett's Lane?"

"I dunno, but I think not. Mr. Peace left Broxbridge on the day after, or it might be two days afterwards. I be pretty sure he never saw Mr. Jamblin agen."

"I think you said you were engaged to Mr. Jamblin?"

"I have not said so."

"Indeed! Then I must have misunderstood you."

"She said she kept company with him," observed the chief clerk, referring to his notes.

"Ah, well, that's pretty much the same thing, I suppose," returned the lawyer, with a short, dry laugh.

"It depends upon what construction you put upon the declaration," suggested Mr. Chicknell.

"Just so. Well, that is how I construe it. The witness said Mr. Jamblin would have married her if he had lived. Did you not?"

This last query was directed to Nell.

"I believe he would ha' done so," she answered, hanging down her head.

"As an honourable man he was bound to do so, was he not?"

"He was an honourable, good young man."

"Ah, no doubt; but that is no answer to my question."

"I cannot gi' 'ee any other answer," said the trembling girl.

"Oh, but you must. In plain words, you were already his mistress, and hoped to be his wife. Was that not so?"

"Mr. Slapperton, I must tell you plainly that I think your conduct is most unwarrantable," cried Lord Ethalwood, "and will not allow such a gross act of indecorum to pass over without expressing my disapproval of the same."

There was loud applause in the court as these words fell from the lips of the chairman.

"Order! Silence!" shouted out the usher, in his usual nasal twang.

"I am sorry to differ with your lordship," observed Slapperton. "It is not my practice to act in an indecorous manner, but——"

"Silence, sir!" exclaimed Lord Ethalwood. "Your conduct is most reprehensible. Have you no consideration for the young person in the box? Have you no regard for her feelings? I will not and cannot sit on this bench and allow any female to be insulted."

"Insulted?"

"Yes, grossly insulted! How dare you presume to make such an observation as you have done in an open court?"

"Because I deemed it requisite—for that simple reason. The prisoner at the bar is a poor man, in a humble position in life. It is my bounden duty to see that he is not the victim of prejudice. It is also my duty to lay before you all these facts which bear directly and indirectly on the case, and in doing so I am constrained to be plain-spoken. I don't create these painful facts. It is no fault of mine that I am, from the force of circumstances, compelled to put questions which, although painful for me to ask, and are perhaps still more painful for the witness to answer, have, nevertheless, to be submitted. I must tell you frankly that I will not shrink from doing my duty."

"You cannot proceed, Mr. Slapperton, in opposition to the ruling of the bench. That you know as well as I do," said Mr. Chicknell.

"But as yet the bench have not decided the point."

"We have," said one of the magistrates; "and our decision is unanimous. Your last question to the witness is not admissible, and we cannot reprobate your conduct too strongly in putting such a query, or the bad taste you have displayed by the innuendo accompanying it."

"I have done," said Slapperton. "Let it pass, then. I have no alternative left but to bow to the wise decision of the bench."

"You have full liberty to ask any questions of the witness which may bear upon the case; but to enter into private matters, which are altogether irrelevant, cannot be permitted."

"I maintain that the private matters, as you are pleased to term them, do bear upon the case. You, however, appear to be of a different opinion—so I will proceed with other points."

Then, turning towards the witness, Mr. Slapperton said:

"You stated before the coroner that, when you were conversing with Mr. Jamblin in Dennett's Lane on the night of the murder, you saw the face of a man through the hedge. Is that so?"

"Yes, it is."

"And did you see his features distinctly?"

"Most distinctly."

"The night was a dark one, was it not?"

"Rather dark."

"And there are no lamps in the lane?"

"No. None."

"And yet you were able to distinguish the features of the stranger?"

"He wasn't a stranger."

"How do you know?"

"'Cause I saw his face, and knew him to be Giles Chudley."

"You must be gifted with wonderful eyesight. Do you mean to say, upon your oath, that the prisoner at the bar was the man?"

"I do. It was none other than he."

"This you swear most positively?"

"Yes, I swear it agen an' agen."

"Once will do, Miss Fulford. It seems almost incredible that you could recognise a man under the circumstances. Pray, did you expect to see the prisoner there?"

"No, I did not."

"Why not?"

"'Cause he had left the neighbourhood, and hadn't been seen for a goodish while."

"I have no doubt that you are speaking conscientiously, Miss Fulford; still, at the same time, you must not be offended if I suggest that you are mistaken. It would, I dare say, astonish you to learn that the prisoner was not in the neighbourhood on the night of the murder. Perhaps you would not believe this if I proved the fact upon evidence?"

"I should be astonished, certainly."

"Are you about to prove an alibi?" said Lord Ethalwood, in a tone of surprise.

"I am instructed to say that evidence will be offered upon that point," returned Mr. Slapperton; "and I am, therefore, most anxious to hear all that Miss Fulford has to say. She is positive, but she may be mistaken. It is a very common thing for a witness to be mistaken as far as the identification of an individual is concerned."

"Ah, that is generally admitted, I think, by most professional gentlemen. You are quite right in your course of cross-examination as far as that is concerned, for it is one of the leading and most important points in the case."

"You will pardon me, my lord," returned Slapperton, "but my hypothesis is that the witness is mistaken. We must bear in mind that there are so many persons in this neighbourhood who might be taken for the prisoner, especially if they were behind a hedge on a dark night.

"In the first place, people are much more similar than we always remember, without disputing or accepting the extraordinary idea which exists in so many countries, and is the basis of so many fables, that every man has his 'double' somewhere—an individual absolutely identical in appearance with himself. It is quite certain that most extraordinary likenesses do exist among persons wholly disconnected in blood; that there are faces and forms in the world which are rather types than individualities; people so like one another that only the most intimate friends and connections can detect the difference. I trust, my lord, that you do not deem the observations I am making out of place, seeing the importance of the subject in hand?"

"Not at all—I think them both right and proper."

"The witness speaks most positively," said Lord Ethalwood. "Nevertheless, I, for one, quite agree with you upon the doubts and difficulties attending identification, but there are other witnesses besides the one at present under examination who bear out her testimony."

"Not in a positive manner, my lord. I have every reason for believing that they are mistaken."

No further questions were put to Ellen Fulford, who was told to stand down.

Matilda Lucas, the little girl who resided with her parents in Jawbone Cottage, deposed to seeing a man washing his hands in the pool of water at Larchgrove Green on the night of the murder. She swore most distinctly that the prisoner was the man.

"Now, look at the prisoner, if you please," said Mr. Slapperton.

The child regarded Chudley with a curious glance.

"Now, my good girl, take your time, consider well before you answer. Is the prisoner like the man you saw at Larchgrove Green."

"He beant so loike him as he was," returned the girl.

"Ah, no, I thought not," said the lawyer, "but something like him, I suppose?"

"Ah! yes, he be the same man as I saw, only he's got a big beard now, which he had not then."

"That would make a difference, of course. You can't swear to him? Now, mind what you say."

"The man I seed a washin' his hands was Giles Chudley."

"It was?"

"Yes, sir."

"Of that you are quite certain?"

"I be quite sartin o' that."

"How can you be certain?"

"Because I know'd him so well, that is why I be so sartin. I know'd him by his brown face, beaky nose, an' bushy whiskers."

Mr. Slapperton was disappointed.

"She is a truthful witness, my lord," said the lawyer; "that is, an honest witness who speaks what she believes to be truth, but it does not follow that she may not be mistaken."

"She has given her evidence remarkably well," observed one of the magistrates, "and is a very intelligent little girl."

"Now I have one or two more questions to put," said Slapperton. "When you looked out of the bedroom window of the cottage, was the man's back towards you or his face?"

"His face wur towards me."

"And it was rather a dark night, was it not?"

"Noa, not whar I seed the man. The moon was a shinin' quite bright loike."

"Was his face in shadow?"

"I dunno that it wur; I know'd it wur the face o' Giles Chudley—of that I be sartin sure—and his mouth wur a-bleedin'."

Slapperton felt that it would be worse for him, so ceased all further questioning; and he therefore said in a tone of affected satisfaction:

"That will do; I am quite satisfied—have no further questions to ask."

The little girl left the box.

The divisional surgeon was called. His evidence was to the effect that he had examined the prisoner's mouth—the front teeth (incisors) were missing; and the two teeth picked up by the police in Larchgrove Lane corresponded in size, structure, and colour to the others in the prisoner's jaw.

Mr. Slapperton affected to treat this circumstance as of quite minor importance. He said that there were very few persons who had not shed some of their teeth, and it was quite impossible for the most skilled surgeon or dentist to say positively that those found belonged to the prisoner.

The magistrates, however, appeared to be of a different opinion, and a long discussion ensued between them and the prisoner's advocate.

Both agreed, however, that it would be a question for a jury to decide.

There was a primâ facie case made out, and further adjournment was, therefore, deemed unnecessary.

The bench then decided upon fully committing the prisoner for trial upon the charge of "Wilful murder."

Mr. Slapperton would not allow the day's proceedings to be brought to a close without making a last appeal on behalf of his client.

"I should be sadly neglectful of my duty to my client," said the pertinacious advocate, "if I suffered him to be committed upon this dreadful charge without offering some remarks upon the evidence we have heard. I do not for one moment impugn the veracity of the several witnesses. All I say is that they are mistaken; they are labouring under a wrong impression. Without doubt most of the witnesses believe what they have deposed to. They are obstinate as far as their evidence is concerned, and to argue with an obstinate man is to confirm him in his opinion."

"I think you are mistaken, Mr. Slapperton," observed Lord Ethalwood. "I do not see that any obstinacy has been displayed by any of the witnesses. On the contrary, the witness Brickett and my footman have been very careful in giving their evidence. They neither of them would swear positively."

"That I admit, my lord. Do not for a moment imagine I had any desire to complain of them. As far as that goes, they are without doubt truthful witnesses. So, indeed, is Miss Fulford, but, nevertheless, I find it hard to believe that she saw the prisoner through the hedge so as to recognise him; but, even assuming she had, this fact does not prove that Chudley was the murderer of Mr. Philip Jamblin. He might be out 'sweetheart-hunting,' watching for some rustic damsel—even as Miss Fulford was watching for her faithful swain."

"I do not say it does," returned Lord Ethalwood. "We none of us say so; but, nevertheless, it is one link in the chain, and it must be admitted on all hands that it is an important link."

"I confess I do not attach that importance to it that you do," said the lawyer, in a careless tone; "but I do say that it is a question of mistaken identity. It would be out of place for me to cite cases of mistaken identity; that must be reserved for the trial, for it is quite clear that you intend to send the case for trial."

"Unquestionably, Mr. Slapperton," said the chairman. "We cannot do otherwise."

The examination was at an end The prisoner was committed on the charge of wilful murder, and the witnesses were bound over to appear at the ensuing sessions.

As we have already intimated, it was market day, and as a natural consequence the court, the streets, and the public-houses were crowded to overflowing.

In close proximity to the court-house stood a well-known inn, bearing the sign of the Shoulder of Mutton, and to this establishment Mr. Slapperton bent his steps. He was a man who courted publicity, and, if it was attainable, popularity also.

"So Measter Slapperton," cried a broad-shouldered grazier, "you warn't a-goin' to let the big-wigs ha' it all their own way."

"There are two sides to an argument, my friend," returned the lawyer.

"An yourn be the roight side, I s'pose," cried a voice from the farther end of the room.

"Well, I hope so. That remains to be proved," answered Slapperton, making the best of his way towards an ante-room, in which the dinner he had ordered was about to be served. Here two of his clients awaited him.

After he had received their instructions and devoured his substantial repast, he returned to the public room, which was filled with well-to-do agriculturists.

Mr. Slapperton seated himself, sipped his port wine, and lighted his cigar. He felt that he was the "observed of all observers," and this flattered the legal gentleman's vanity.

There was a sort of running fire of observations on the all-absorbing topic.

One farmer, more pertinacious than the rest, turned towards the attorney, and said:

"An' do ye think as how they'll bring it hoame to the murdering scoundrel, zur?"

"Oh, there's no secret about the matter, gentlemen," said Slapperton. "It is simply a question of identity. If the witnesses are mistaken, which I affirm they are, it would be wrong indeed to hang a man upon their testimony."

"You're not agoin' to make me b'lieve that 'ee be innocent, identity or no identity!" cried Brickett, who was one of the company.

"Oh, it's you, eh?" said the lawyer, looking curiously at the speaker. "I shall not endeavour to do so. You heard what I said about prejudice?"

"Yes, I did, and it bean't true. There be no prejudice in the matter. I could have sed more if I'd bin amind."

"Ah, I dare say; but now, with respect to identity, think of the excessive difficulty with which the memory retains a face."

"That may be all true," said one of the company, "but somehow or another I do not think there's much mistake 'bout that chap—he did the murder right enough."

"Ay, an' sure he did," cried Brickett, "as sartin as I'm a-speakin' now—the black-hearted villain. He be the man and none other."

"Yes, that's your opinion," said Slapperton, "but it is not right and proper to hang a man upon mere opinion or hearsay. You are obstinate and, I'm afraid, a little prejudiced, but after all it is but natural."

"If I stop much longer you'll persuade me that my eyes ain't no good to me, and that I've got colour-blindness, or something o' that sort. I never seed such a chap in all my born days as what ye are," said Brickett, rising from his seat.

"You're a prejudiced man," said Slapperton. "All's fair in love, trade, war, and law."

The company in the parlour of the Shoulder of Mutton had a longer sitting than usual, and they now began to break up. There was no end of shaking of hands, as by ones, twos, and threes they took their departure.

CHAPTER LVII.

The events we have been describing—the search after, the capture and committal, of Giles Chudley—were unknown to Peace; indeed, he was in entire ignorance of the murder of Mr. Jamblin.

Through the long, weary hours of his imprisonment he was looking forward through the darkness which enshrouded him to the day of his liberation as to a bright and unsetting star.

As he lay upon his bed and gazed out of the window of his cell, watching the birds dart hither and thither in a clear blue sky, thoughts of the time when he should be free arose in his mind and cheered his desponding heart.

He looked forward to the day when he should be cast into the world again.

He had been shut up many months without a glance at the external world and its doings; he had not seen a newspaper or heard a scrap of news of any sort, and it was, therefore, some relief to him when he was informed that he was to be transferred with the next batch of convicts to Dartmoor. He never reflected at this time that perhaps he might possibly find the discipline much more severe in that place. Dartmoor, as most of our readers know, is an extensive and remarkable tract of land on the north-west of Exmoor. It comprises an area of three hundred and fifty thousand acres, one-third of which is termed Dartmoor Forest. During the revolutionary war a French prison was erected on the moor, which has been transformed into an agricultural settlement for the poor. Part of the buildings are now occupied by a company established to extract naphtha from peat. The prisons were commenced in 1806. They are built of granite found on the moor.

Peace, during his incarceration in Preston Gaol, had made the acquaintance of a professional "cracksman," or burglar, who hailed from London.

He had, however, been "landed" at Manchester, where he had committed a number of daring robberies. He was a man of fair education, good appearance, and considerable natural ability, much above the average of his professional brethren.

He had been living luxuriously in London on the fruits of his professional skill. Till now he had escaped all punishment, with the exception of a few months' imprisonment for a "mistake" committed at the outset of his career.

Seeing in Peace a kindred spirit, he fraternised with him, and they sat next to each other in the train.

They carried on a conversation in whispers, the words of which were inaudible to the warder who sat at the farther end of the carriage.

"Oh, yes," observed the cracksman, "I have no reason to complain; I've had a pretty goodish run of it, all things considered, but they nabbed me in Manchester."

"Mum! The warder's got his eye upon us," said the "cracksman."

This was true enough, but, situated as he was, he was unable to hear one word of the conversation. The other prisoners were laughing and talking so that there was too much din and clatter for the warder in charge of them to comprehend the nature of the discussion between Peace and his companion.

The officers in charge of the prisoners allowed them to have it pretty much their own way in respect to social gossip. As the train proceeded on its journey the prisoners continued to converse together in whispers almost incessantly.

They appeared to be all of them in excellent spirits, and, to judge from their demeanour, lively conversation, and the occasional fits of laughter, anybody would have come to the conclusion that it was a holiday party of pleasure-seekers, instead of being convicts about to be transferred to a penal gaol.

Peace recognised among his companions many faces that were well known to him.

The train in which the convicts were did not go direct to Dartmoor. They had to change on to another line.

Upon the arrival at the station they were ordered to get out, and here they were, as at the time of their starting, surrounded by a curious throng of gazers.

"Keep your peckers up!" cried a cab-driver, "and mind you are good boys for the future!"

"All right, cabby; when I come out I shall want you to drive me to the Hoperoor," returned one of the prisoners.

"There, that will do; you are not brought here to chaff cabmen," said one of the warders "The less you have to say the better."

"Give him his head for a little bit," observed the cab-driver. "He'll be reined up tight enough before long, I fancy."

"You mind your own business," said the warder.

"All right, guv'nor, sorry I spoke. Lor', you have got a crew under your charge, and no mistake!" and with these words the man drove off.

The prisoners begged hard for tobacco of persons on the platform, and that, as well as money, was handed to them.

"Oh, I say, master," cried one, addressing himself to a young man of the Dundreary type, "can you spare us that paper when you have done with it?"

"Certainly, it is at your service," replied the gentleman, handing the newspaper to the other.

"It's against the rules," observed the warder. "Prisoners are not allowed to read newspapers."

"Only for this once."

"No, it's against the rules."

"But we are not in prison now. Mayn't a cove have a squint at the news while he's in the train?"

"Ah! let him have the newspaper; you can make him give it up before the train reaches its destination, you know," said the gentleman to the warder.

"I don't like to be too hard with them, but it's against the rules," replied the warder, walking away.

The prisoner thrust the paper into his pocket, and no further notice was taken of the action.

"I'm blest if I can read it now I have got it!" murmured the prisoner as he stepped into the other carriage which was to convey him to Dartmoor; "but there's some of 'em as can."

The train had not proceeded very far on its journey before the man drew forth his prize.

"I say, mates, I've got a newspaper."

The paper in question was a Sunday morning edition of one of the weeklies.

It contained reports of the trials at the Middlesex and Surrey Sessions, and the young man began at these, after which he read a portion of the police reports; then his eyes lighted on a line in broad-faced type: "The Murder in Larchgrove Lane; Examination and Committal of the Prisoner."

"Eh, what's that?" cried Peace. "In what lane?"

"Larchgrove."

"Let's have it!" cried one of the convicts. "The whole true and particular account."

The young man began to read. As he repeated the name of Mr. Philip Jamblin Peace started.

"Do you know him?" inquired the "cracksman" who sat next to him.

"Yes, very well."

The reader continued. The murdered man, the detective engaged in the case, the several witnesses, together with the chairman of the bench of magistrates, were as familiar to him as household words

He was in a feverish state of excitement and drank in every word with the greatest avidity.

Everybody in the carriage was interested, even to the unimpressionable warder, but not in an equal degree to Peace, who was absorbed as he listened to the thrilling narrative.

The evidence of Brickett and John Adolphus had been gone carefully through, then followed the examination of Ellen Fulford.

"My eye, he's giving it her pretty hot!" said the cracksman; "and doesn't he cheek the beaks?"

It would be difficult to describe the sensation produced when the young man read the following passage from the report:

"Pray, Miss Fulford, were you not acquainted some time ago with a person named Charles Peace?"

The reader paused suddenly. Every eye was directed towards Peace.

"Jemmy Johnson squeeze me, but if that ain't a cawker!" exclaimed one of the prisoners.

"Order! Silence!" said the warder, who began to repent having permitted the reading of the newspaper. He, however, found it impossible to repress the exclamations and inquiries which came from all sides.

"KEEP YOUR PECKERS UP!" CRIED A CABMAN.

"Why, was she a fancy girl of yours?" said one.

"Well, I never!" cried another.

"But ain't it lucky he's in quod?" observed another. "If it had not been for that he might have been charged with the murder."

"I wish you'd all hold your tongues and mind your own business!" cried Peace in a petulant tone. "If you want to hear the case, keep silent; if you don't, shut up!"

"Well, don't speak so sharp. It's no fault of ourn," said a man on the opposite seat.

"Don't take on so because the girl's jilted you," cried another.

"You hold your clatter, you fool!" said Peace.

"Now, then," said the young man who had been reading, "there isn't much more of it, and so just keep quiet that I may finish the case."

The prisoners obeyed, and the reader continued.

Several more questions were put to the witness regarding

Peace, and he was greatly relieved when Ellen Fulford's examination came to an end.

Never in his whole life had he been so astonished, and for the rest of the journey he remained moody and silent, hardly exchanging a word with anyone, with the exception of his friend the cracksman, who of his own accord made Peace acquainted with his offence and the sentence which had been passed upon him.

When the train came to the end of its journey omnibuses were found waiting at the station to take the convicts to Princetown, on Dartmoor, where the gaol is situated.

Peace, who had chummed up with the cracksman, sat next to him as heretofore, for the men were permitted to take their places according to their own fancy, and there were distinct little coteries inside the prison the same as in the outside world.

As soon as they had got a few miles out of the town they were told to alight and walk up the steep hills; to say the truth, the journey was mostly up hill.

It was while walking up one of the hills that Peace and his companions beheld for the first time, at a distance, their new prison-house. As they came upon the piquets of the Civil Guard, armed with their rifles and bayonets, they were impressed with the rigid discipline carried on at the place.

Upon reaching the prison, a gloomy, cheerless, heavy-looking granite building, or series of buildings, surrounded by a high wall, Peace's heart seemed to sink within him. He turned to the cracksman and said:

"This is a God-forgotten place."

"Not cheerful—not very cheerful-looking, is it?"

Peace made a face, and then groaned.

The gate is one of the most gloomy pieces of architecture it is well possible to conceive—indeed, the whole aspect of the place was cheerless and depressing to the last degree.

As soon as the convicts arrived at the gate they were received by several warders, who conducted them into the receiving wards, where all was prepared for their arrival.

Their chains and handcuffs were removed, and they soon found themselves in a long passage about twelve feet wide, lighted by a skylight.

It was made painfully manifest to them all that the discipline at Dartmoor was much more strict than at Preston, and there were not a few who deeply regretted having left that well-regulated gaol.

"I expect we shall have a lively time of it here," whispered the cracksman to Peace.

"Out of the frying-pan into the fire—that's about the size of it," murmured Peace.

The prisoners were taken in ten or a dozen at a time to the bath-room, where they were told to perform the usual ablution. This ceremony occupied some time. At length, however, Peace's turn came. He was taken with the cracksman and eight others down a passage and across a yard.

The doctor was a very kind, considerate gentleman, who paid every attention to those under his care. He was a sharp observer of human nature, and could almost tell at a glance whether the man he was questioning spoke the truth or otherwise.

"Well, Peace," he observed, as that personage came before him, "there is nothing much the matter with you, I believe—that is, so far as your general health is concerned."

Peace was surprised at hearing himself addressed by his proper name instead of his number. He was not aware, however, that *the* doctor had adopted the same method with all the prisors who had come before him. It was a way he had, albeit is not the usual custom in convict prisons.

"No, sir, returned Peace, who had passed on to make room for anoer of the batch.

When all re dressed as far as flannels, shirts, drawers, and stocking were concerned, the men were marched out and resumed e outer clothes which they had arrived in, and which had alleen carefully examined by one or more of the prison attendts. Every pin a man had stuck in a jacket was removed

The men re now fitted with boots, some with two pairs of water-tigh.

Peace and is companions next had their hair cropped as close as sciss could make it. The cropping at Dartmoor is a sort of mnia with the officials, who delight in denuding the men of their hair and making them look as much like convicts as pssible.

Peace felt very much depressed, and would have given anything to bback in his old quarters. He felt assured that his life at Dtmoor would be a wretched one.

Just as he and some half-dozen others arrived outside in the yard the warder told them to stand in a line against the wall.

"What is this caper for?" whispered Peace to a companion.

"Silence!" exclaimed the prison official. "Prisoners are not allowed to talk."

The tramp, tramp, of many feet was now heard. The outside gangs were returning from work. They came on in long lines, two abreast, each gang with its officers in military style, and keeping excellent step and time, but the men looked despondent and careworn.

Poor wretches, there was good reason for this. The work upon which they had been engaged was arduous enough, and in addition to this the ground under-foot was little better than a dismal swamp.

At the inner gate of the prison stood the chief warder. He was saluted by every officer as the gangs came up.

Peace, as they marched along, was duly impressed with the fact that it was a melancholy spectacle he was witnessing. The wretched convicts came in gang after gang till some three hundred men or more, according to his calculation, must have passed through. Every officer, as he reached the lodge gate, delivered up his rifle, bayonet, belt, and cartridge-box to the armourer, who with his assistant stood ready to receive them.

When all had arrived, and the working parties were safely within the walls of the prison, the Civil Guard closed up the rear, and there was an end to the melancholy tramp of men doomed to wretched daily servitude.

As the poor wretches passed the knot of new-comers they regarded them with a curious and inquiring glance, for they knew perfectly well that they had but just arrived from some other convict prison; but not a word was spoken.

Peace and his companions were then conducted into No. 4 prison.

"What is the number of your gang?" said the warder to Peace.

"I don't know the number, sir," answered Peace.

"Not know your number?"

"No, sir. When at Preston I worked in the tailors' shop, but the number of the gang I don't know—indeed, I never did know it."

"Oh, well, that is not of any great importance. If you can't tell me we must do without. Go in there, and the warder of the landing, Mr. Dring, will soon be here."

Peace entered, and the moment the door was closed he saw what a little dark hole he was thrust into—indeed, it was some minutes before he could make out anything distinctly.

He was curious about his future home, and as soon as possible he proceeded to make an examination of the same.

It was like most places of that description—small enough, certainly, not more than seven feet long by four feet six inches in width, and, as far as he could judge, about eight feet in height.

By the side of the door was a narrow window of thick rough plate-glass, beneath which was a small flap table, that had to be let down when the hammock was slung. Only at this table, and immediately close to the window, was there light enough to see any object distinctly. Over the table and under the window was a narrow shelf, on which to place a candle.

Peace glanced curiously around and surveyed each object with a curious and inquisitive eye. The general appearance of the place was much the same in its leading features as the cells in other convict prisons.

A wooden shelf ran over the door from side to side of the cell. On this spare boots and shoes, together with cleaning rags, were kept.

Opposite the door, about five feet from the ground, was another and wider shelf. On this were arranged the bed-clothes, done up in a neat, round, compact roll, a tin pint mug, a tin plate, a small brass candlestick, with a curiously contrived pair of snuffers, made ingeniously out of one piece of tin, a tin knife, a wooden spoon, a wooden saltcellar, and an ordinary school slate.

Below the shelf, and at the opposite end of the cell to the window and flap table, was the hammock, neatly rolled up and strapped against the wall.

An ordinary stable bucket, with iron handle and hoops, was on the floor alongside of a low wooden stool; a small hand broom, and in a corner, under the table, a scrubbing brush, and two tin tallies, with the number of the cell, prison, and hall, hanging behind the door completed the furniture of the cheerless receptacle for the felon.

(To be continued.)

Claimant as Roger Tichborne on the strength of his resemblance to the late Sir James Tichborne, coupled with his answers to one or two simple questions which he would have had no difficulty in learning from Slate, the Bank of Sydney opened its coffers, and Castro, under the name of Sir Roger Tichborne, was a man of credit, financial and otherwise. By the way, to show the value of Mr. Turville's recognition, it may be mentioned that when he asked The Claimant to describe the Dowager, he was told that she was a large, stout woman, with a very commanding appearance, whereas she was petite, delicate, and retiring.

By this time there can be no doubt that Lady Tichborne had received both The Claimant's letters, and some sort of doubt seems to have arisen in her mind, for the next of the letters of "Roger" to his mother is in rather a different strain from the previous two. He wrote as follows:

"July 24, 1866.

"My dear Mamma,—I received your letter yesterday morning. And was somewhat dis-appointed that you do not acknowledge me has your son. Surely my dear mama you must know my writing. You have cause me a deal of trouble, but it matters not. Has I have no wish to leave A country ware I enjoy such good health I have grown very stout. Yesterday one of Uncle Edwards Old servants call on me. he has been living here a long while. He is name Guilfoyle. He knew me has soon as he see me. You spoke of Bougle in your letter to Cubitt. I have made enquire but cannot find him. I have enclose a photograph of myself, that you may see how greatly I have emprove. Hoping my dear mama to see alive once more. But I am afraid not has I cannot get surficience of money to come home with. Good-bye my dear mama and may the Blessed Maria have mercy on your soul."

The last attempt to appear as a pious Catholic is ludicrous. How anyone brought up in the Church of Rome, as the dowager had been, could for a moment imagine that the last ejaculation was the genuine outcome of her Catholic son, educated at Stonyhurst, passes belief, yet, far from increasing her doubt, this extraordinary letter seems to have convinced her that she had unearthed her first-born, changed a little, perhaps, but nevertheless her son.

Now, the above letter contained two falsehoods. Guilfoyle, who had been in service at Tichborne as a gardener, never recognised Castro at all, and it was only after several conversations with The Claimant that he felt it possible that the man before him was the son of James Tichborne, and allowed the clever Castro to pick his brains for incidents which might serve to establish his identity with other people; and far from his not having found Bogle, he was in regular communication with him.

When the days of the great trial came on Bogle was one of the most popular witnesses with the British public, who affectionately dubbed him "Old Bogle." Attention was drawn to the tall, jet-black negro, with his mass of white hair, by Serjeant Ballantyne likening him to an ebony stick with a silver knob on the top.

Business Man (who has caught a suspicious character): "Ah! Break into my place and steal, would you?"

Possible Burglar: "No, sir; I merely intended to smash a few panes of glass and upset things a little. I didn't intend to take a thing, I assure you. I only wanted to give you a good scare."

Business Man: "Likely story! Why, what would you gain by that?"

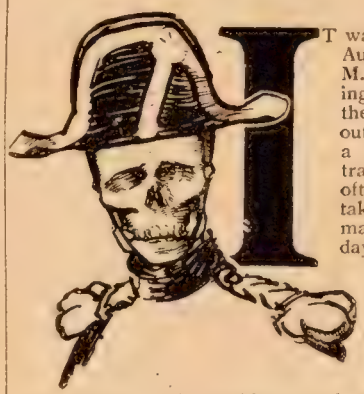
Possible Burglar: "I meant to come round again to-morrow and ask for a position as night-watchman."

Gabrielle's Guilt and Eyraud's Expiation.

A sordid tale of lust and blood, and an example of advertising Justice.

"What mighty ills have not been done by woman?
Who all the dreadful catalogue can tell?
Destructive, damnable, deceitful woman!"
—OTWAY, "The Orphan," Act III., Sc. I.

PART II.



It was on the morning of August 13, 1889, that a M. Marcelle was strolling along the valley of the Rhone, having set out from Lyons. He was a coffee-stall keeper by trade, and as it was not often that he was able to take a holiday, he was making the most of his day's leisure. When he was near Millery, he espied a thicket which struck him as the very place to have his déjeuner, or late breakfast, and he entered it for that purpose. After looking round a little, he spotted a nice secluded spot, and sat down there to partake of his frugal meal. He had not been there many minutes—in fact, he had only just commenced to eat his sausage and garlic—when he noticed a very unpleasant smell, which seemed to come from an adjoining ditch. He was about to move to another spot when his eye caught a whitish-looking package lying at the bottom of the ditch. Being of rather a curious turn of mind, he went closer, and found that as he approached the smell grew stronger.

Wondering what was in the package, which was very carefully sewn up, he took out his knife, cut the seam and commenced to unpack the bundle. He had not got very far when he came across a human foot in an advanced state of decomposition. With a scream, he fled, leaving his breakfast on the ground, and did not stop running till he reached Millery, where he gasped out to the first gendarme that he met that he had "found a dead man. Mon Dieu, but he stinks! He is sewn up in a sack. Qu'il est horrible!" and so on, panting out a string of disconnected sentences that puzzled the officer. Having managed at last to calm the poor shopkeeper, the gendarme walked back with him to the tiny copse, and inspected the malodorous package. Having taken the necessary notes, the gendarme noticed the small basket containing M. Marcelle's breakfast on the ground beside the corpse.

"Tiens!" said he, "what is this?"

"It is only my breakfast," replied the coffee-stall keeper.

"Well, you stop here and eat it while I go and get assistance."

"What! Me eat, after that! Nom d'un pipe, it is impossible!"

"Well, eat or not, as you like. That looks a good sausage. Perhaps it is made of ——"

But the poor civilian, whose stomach was not very strong, had fled behind another bush, and had to be compelled to return and do the unwilling duty of guardian while the gendarme returned to the village.

After a short interval the gendarme reappeared with several of his fellows, and the gruesome object was taken to Millery, where, after being examined roughly, it was interred as "a pauper, found dead, probably murdered." Before being consigned to a common grave, however, one of the officials bound the legs together with a peculiar piece of cord, which served to identify the remains some short time

afterwards, when they were exhumed on the order of the Minister for the Interior.

About this time people had begun to miss M. Gouffé from his place of employment. The old gentleman had been in the habit of occasionally absenting himself from his work for a week or so, without saying anything to anybody, so for the first fortnight little was thought of his disappearance. At the end of that time his children—he was a widower with three daughters—began to grow anxious, and when three weeks elapsed without any news of their father they complained to the police. Active steps were taken to trace the movements of the missing huissier, and it was ascertained that he had been last seen entering the apartments on the ground floor of a house in the Rue Tronson Ducoudray. From the agent it was discovered that the rooms had been let to a Mdlle. Labordette, who was really named Gabrielle Bompard, and it did not take the detectives very long to find out that Gabrielle was the mistress of Michel Eyraud. Later it was shown that Eyraud had been seen to leave the rooms late on the evening of July 27, and subsequently to return to them after an absence of about an hour. Mdlle. Labordette had given up her key at the end of a week's tenure, saying that she would not require to stay till the end of the month, and would not be returning to the apartments.

Search was then made through all the lowest haunts of Paris for Michel Eyraud and Gabrielle Bompard, but resulted in nothing. Madame Eyraud knew nothing of her husband's movements, and said that she had not seen him since the end of July, but that it was nothing unusual for him to be away "on business" for a prolonged period.

Further research brought the fact to light that Gabrielle had been seen to leave for Lyons on July 28, and the attention of the detectives was turned in that direction. Then it was that they learnt that a headless corpse had been found in a thicket near Millery, and had been interred in a nameless grave as a pauper. An order for exhumation was at once applied for, and the grave opened. It had several occupants, but, thanks to the string with which the legs were bound, there was no difficulty in selecting the right corpse. The remains were recognised as those of the missing Gouffé, and, after a post-mortem had been performed, were solemnly interred in Père Lachaise, with all the solemnities of the Church.

From a conversation with Eyraud's brother-in-law, the police were led to believe that M. Rémi Launay knew more about the movements of Eyraud and Gabrielle than they did, and accordingly they interviewed that gentleman. He willingly enough told them all that he knew, said that he had dined with the missing couple on the evening of the disappearance of the huissier, and subsequently left them to go to the Moulin Rouge, or some similar place of amusement. This was actually true, but the police did not believe him, and took him into custody on a charge of being an accomplice of the murderers. After several examinations, it was conclusively proved that Launay was telling the truth, and he was released from durance. Then the public excitement cooled down, and Gouffé was forgotten.

In January, 1890, the Parisian newspapers found it difficult to arouse public interest in anything. The world was going on very peaceably, and there were really no items of importance to chronicle. It came then as a godsend to the editors, and as a shock to the general public, when one day an announcement was made: "Gabrielle Bompard has confessed, and is in custody." Immediately all the journals came out with a reprint of the account of the disappearance of M. Gouffé, and of the flight of Eyraud and his mistress.

Little by little the news was given to the public. First Gabrielle had returned from America; then that she had declared that she did not take part in the terrible murder, but that she was present when Eyraud committed it. Next, she gave the colour of the garments which she was wearing, while a day or two later came the story of the journey to Lyons. Of course all this really was told to the police on the same day, but the Parisian papers doled it out in fragments to their readers, and thus magnified what was really a very vulgar and sordid crime into a cause célèbre.

Then the hunt for Eyraud began. Gabrielle left him "in America" as far as the public knew, but the police were better informed, and commenced their search at San Francisco, where the courtesan actually parted with her former lover. From there he was traced to New York, in which city he had resided for about a month, during which time he had never slept at night but had walked up and down his room through the long hours of darkness. He had vanished from New York when the French detectives reached there, and all trace of him was lost for a time, till at the end of April came the news that he had been recognised at Havannah and arrested by the local police. At once the popular outcry was aroused again, and to cater for the insatiable love of the masses for horrors, a bevy of pressmen was despatched with the police who were sent to conduct the murderer home to France and the guillotine.

Realising that "the game was up" and that he had been betrayed by his accomplice, Eyraud made no bones about admitting his guilt, while he did his best to implicate Gabrielle Bompard as much as possible. Interviews were readily granted to the Press by the Havannah police, and long stories purporting to be "true confessions of Eyraud, the murderer," were cabled to Europe almost every day.

When placed on board the liner which was to carry him back to Paris, everything possible was done to make Eyraud comfortable, for he was practically dying from nervous exhaustion, partly the result of the excesses of his youth, and partly brought on by fear of arrest and subsequent punishment. Special dishes had to be prepared for him, and his daily menu was served up to the public by the French papers. In fact, more notice was taken of the sayings and doings of this vulgar Thug than were ever taken of the actions of a Royal personage. From every port of call hysterical messages were cabled to France by the morbid journalists "in attendance on the garotter." At last he reached his native land in July, 1890. Two thousand people waited at the Paris railway station to greet him, and it was as much as the police could do to get him safely into a carriage and drive off to the Conciergerie.

French law moves in a leisurely fashion, but it never loses an opportunity for display. In the case of Eyraud and Bompard the greatest care was taken that no effect should be lost. The man had confessed his guilt; the woman had admitted that she was an accomplice; the case was complete; but all that mattered little. The public had to be supplied with exciting scenes, and the French police wanted an advertisement. The fact that they had been unable to catch the criminals till one of them confessed was completely forgotten by the detectives; they had an opportunity for self-glorification, and they took good care not to waste it.

Ridiculous as it seems to us, it is a fact that the greatest pains were taken to furnish the apartments in the Rue Tronson Ducoudray exactly as they were on the night of the tragedy, so that the "confrontation" of the culprits might lose nothing in point of dramatic force.

Eyraud, under a heavy escort, was brought into the room, and then for the first time he was face to face with the woman who had betrayed him. He turned away his face, exclaiming: "I will not look at that creature! Take her away! I admit all. She has betrayed me!"

In spite of this declaration, he was forced to remain, while an official told him exactly how he imagined the crime had been committed. Then he was taken back to his cell. So delighted was the public with this farce that it was repeated a second time for the benefit of the newspapers. Then a question was asked in the French Parliament, and a suggestion made that some steps should be taken to stop the persecution of the helpless prisoner. After that the police were a little more careful; still they managed to drag the case on, so that it was not until the 16th of December that Eyraud and Gabrielle Bompard were placed in the dock to be tried for their lives.

The Cour de la Seine has accommodation for only eighty spectators, yet over five hundred applied to the Procurateur Général for admission. Tickets were issued only to the most exalted, and in the list of those privileged to witness the emotions of the two prisoners as the whole of their filthy careers was read out to them we find the names of the British Ambassador, Lord Lytton, and his wife, besides other members of our aristocracy and representatives of the Embassies of the great Powers. Women predominated among those whom the French officials "honoured," and we learn from the papers of the period that they came into the court dressed as if for a garden party, and armed with opera glasses as if attending a theatre. At times these gentlewomen broke out into applause, and on one occasion, when the female prisoner was seized with a fit, being overcome with shame, these "ladies" roared with laughter!

The whole trial was a disgrace to the French law. The presiding judge, M. Robert, cut a contemptible figure on the bench. He was utterly incapable of keeping order, while at times he so forgot his high office as to descend to making epigrams on the wretched prisoners before him! The Procurateur Général, M. Quesnay de Beaurepaire, contrary to all established custom, conducted the prosecution himself, and thereby was considered to have lost prestige

by his colleagues at the bar. To him fell the task of making fun of his victims, and of advertising Justice! In the first he was eminently successful; in the latter accordingly

Inspected the malodorous package.

he failed and made himself ridiculous. Eyraud was defended by Maître Décori, a young barrister of thirty, but an exceedingly able advocate, who really did the best he could for his client.

As is usual in French Courts of Justice, the proceedings opened with the examination of the accused. Eyraud was first put upon the rack. He said that the whole idea of the murder was Gabrielle's, that he refused to have anything to do with it, and even beat her to make her be silent. At last she persuaded him to assist in order to obtain a sum of fifty thousand francs. He did not mean to kill old Gouffé, but merely to frighten him. Then when he had got him to sign certain papers he was going to hold him to ransom. As it was the old gentleman succumbed to his treatment. The box and sack were prepared "in case of accident!" Questioned about his early career, he grew indignant and said that while he admitted his guilt in this instance he did not see that his early life had anything to do with the present case. He was the son of an inn-keeper at Ste. Etienne, and had lived a loose life; that was enough for the police to know.

Gabrielle Bompard gave quite a different version of the affair. According to her, she had not the slightest idea that old Gouffé was to be murdered, or even to be attacked, till after dinner on the night of the tragedy. Then the cord and the box were bought. Some days before, while she was stopping at an hotel, Eyraud had brought her some canvas ready cut out for her to sew. When she had sewed it up, she saw that it was a sack. When Eyraud told her what the sack, box, and cord were for, she was frightened, but could not get assistance or escape because her lover had threatened to kill her if she did not do exactly as she was told. Eyraud was hidden behind the sofa, and tried to pass the noose of her belt over Gouffé's head, but the huissier saw him. A free fight then took place, and Eyraud strangled the writ-server with his hands. She was so frightened that she assisted Eyraud to dispose of the body. It was a lie that she met Eyraud on the streets; she first saw him when she answered an advertisement from the firm of Fribourg et Cie. Evidence was then given that the trunk was bought in London from a trunk-maker named Lauterbach, and that the cords and pulley were purchased several days prior to the crime. Also that Gabrielle Bompard cut out the canvas and made the sack herself.

Gabrielle had a fit.

M. Garanger then told the jury that he was returning from Japan, viâ America, when he met Eyraud at Vancouver. They went to San Francisco together, and were intending to start

in business there a little later on. As he had to return to France first, Eyraud requested him to escort Gabrielle to Paris. He agreed, and as soon as they had started, Gabrielle told him that Eyraud was a fraudulent bankrupt who was fleeing from justice. On their arrival in Paris, the woman showed him an old copy of a French paper containing an account of the Gouffé murder, and said, "I am the Gabrielle Bompard mentioned in this." He at once advised her to give herself up, and took her to the police station himself in a cab.

At this point Eyraud broke in, accusing Garanger of decoying his mistress away from him. Garanger flatly denied that he had done so, saying that it was the female prisoner's own wish to transfer her affections to him. On this Gabrielle had a fit, and the court had to adjourn for an hour, the women spectators being vastly tickled.

Counsel for Bompard here showed what line of defence he intended to rely upon by proposing that Gabrielle was an hypnotic subject, and committed her share of the murder while under the control of Eyraud. Several doctors were called to say whether this was possible, and only one agreed that such could have been the case—a Dr. Liégeoise, who thought that Gabrielle was liable to be controlled by Michel, and would be perfectly unconscious of what she had done while in that state. The great Professor Brouardel laughed at this notion, and said that although on one occasion a minor operation had been performed on Bompard while in an hypnotic trance without her suffering any great pain, it was ridiculous to suppose that she could be made to commit a crime by mere suggestion, and have no knowledge of her action afterwards. On this Gabrielle's counsel asked that an experiment might be made in court, but the Procurateur Général refused to consent, saying that "as the trial had taken four days, it would be simply a waste of time."

On the fifth, and last day, the Procurateur Général addressed the jury. He said that he demanded justice in the name of outraged humanity, and to vindicate the majesty of the law. It was clear that Professor Liégeoise was himself a victim of "suggestion," and that his evidence was not to be relied upon. The prisoners selected a ground floor room in order that they might not have to lower a body from an upper floor, and also lest the sound of the falling of the victim's corpse should be heard. He then retold the story of the crime, adhering to Eyraud's account in preference to that of Gabrielle Bompard, because the latter had a real motive for not telling the truth. In conclusion, he would ask for the conviction of both prisoners without extenuating circumstances. If, however, the jury thought that the early depravity of the female accused had an effect on her life, then they might be inclined to give her a recommendation to mercy.

Maitre Décori next made a powerful appeal to the jury. He declared that his client had been dragged from a bed of sickness, and brought, a man doomed to death by disease, to be flung at their feet in order that they might hasten the work of the destroyer and send him to the scaffold. The public outcry was not the voice of offended justice, but was the yelping of the hounds anxious to be in at the death! He protested against the mockery of the trial, which was really only a trial by newspaper. He believed that Eyraud had been overpersuaded by the woman, and asked the jury to find that that was actually the case, and that he was entitled to a measure of mercy.

BOUND AND BAREHEADED AND ATTENDED BY THE FAITHFUL PRIEST.

After a short interval, the jury returned the verdict which the journals had dictated to them five days before, namely, that Eyraud was guilty of the murder without extenuating circumstances, and that Gabrielle was also guilty, but that there were extenuating circumstances. The judge then pronounced the sentences which had also been indicated to him by the Press, and ordered that Eyraud should suffer death at the hands of the executioner, while Gabrielle was to be imprisoned for twenty years with hard labour. Michel was taken off to La Roquette to await the attentions of M. de Paris, and Gabrielle was relegated to a convict prison.

It is needless to state that Eyraud appealed to the Minister of the Interior, praying for mercy, and that his petition was supported by many of those who had clamoured most vociferously for his head. Mercy would have been extended to him had not ample proof been shown to the Minister that Eyraud was responsible for the murder of a commercial traveller named Brénil, who had disappeared some years previously under very suspicious circumstances. This accounted for Eyraud's anger when Gabrielle suggested that he knew how easy it was to kill a man. Accordingly, the fiat for his execution went forth.

It was not till the small hours of the morning of Tuesday, February 3, 1891, that Michel Eyraud was informed that his petition had been rejected. The public received no intimation of the approaching execution, but when at four o'clock the attendants were seen in the Place de la Roquette erecting the guillotine, a crowd quickly assembled.

At six o'clock M. Beauquesne, the governor of La Roquette, entered the condemned cell. Eyraud was sitting half dressed on the side of his bed. In a few words the governor told him that his petition was in vain, and that he had to die in an hour. Eyraud got off the bed, remarking, "Very well; let me dress." He was offered some brandy, but he said, "No, no; I do not want it. The stuff would make me sick." The Abbé Faure, chaplain to the prison, tried to get some word of repentance from the prisoner, but failed. Then the priest asked him if he wished to send any message to his relations. Eyraud was content with sending a message wishing her success to Reine, his daughter.

At the mention of his approaching death, a thought struck him, and he begged that his body might not be given to the doctors for dissection. Abbé Faure was able to assure him that Madame Eyraud had petitioned the Government, and had been granted the privilege of receiving her husband's corpse for burial. At that the convict seemed much relieved.

Eyraud was then taken to another room where M. Deibler, the headsman, and his assistants were waiting. They commenced immediately to bind his arms, and he complained loudly that they were hurting him by tying him too tight. "You need not be afraid," he said, "I will walk bravely to the guillotine." When the executioner commenced to cut the collar of Eyraud's shirt off, the culprit lost his composure and flew into a violent passion, yelling out, "Constans has got the best of it, and now, to make the thing complete, he has only to decorate that putain Bompard!" His hair was cut, but the beard which he had grown was left untouched. While the "toilette" of the scaffold was being made, he continued his complaints against M. Constans, the Minister of the Interior, and refused to listen to the chaplain, who was doing his best to comfort the doomed man.

At five minutes past seven the door of La Roquette opened, and a small procession emerged. Several warders came first, then the convict, bound and bareheaded, attended by the faithful priest, and followed by the executioner and his assistants. A few prison officials brought up the rear.

In an instant Eyraud was lashed to the movable board, his head forced under the lunette.

At that awful moment Abbé Faure made a last effort to persuade Michel Eyraud to confess his guilt, but no word of repentance could he get from the man on the very brink of the grave. Instead, the bound convict began another torrent of invective against the Minister who had rightly rejected his petition.

"Constans——" he shrieked, but the swish of the descending knife, followed by the thud of the severed head falling into the basket, closed his speech for ever. Only a bleeding trunk lay on the guillotine.

The whole execution was over before the five hundred persons who had assembled to witness the end of the celebrated murderer realised that the spectacle was taking place. The headless remains were removed from the scaffold and enclosed in a coffin, which was interred at the expense of the newly-made widow.

Gabrielle Bompard was kept at hard labour in the female convict prisons of France till the year 1903, when, in reply to a petition which was got up by M. Letellier, she was released on June 26, a free pardon having been granted to her. The occasion of her release was made a high festival by some French notables, whose sole delight it is to do things that are inexplicable, and a breakfast was given in honour of the pardoned murderess by M. Letellier, at which M. Santos Dumont, M. Jacques Duhr, and other celebrated men, were present. It is even said that Santos Dumont offered to take her for a trip on his flying machine! Thus do foreigners forget at times what is due to themselves and to society. It is positively sickening to read accounts of the manner in which this convicted strangler and confessed harlot was fêted by respectable Parisians when she was liberated after serving twelve years of the sentence she so richly deserved. But for her having been compelled by M. Garanger to give herself up to the police, there is little doubt that by now her bones would be lying fleshless in the Champs aux Navets, and the bones of the neck would have been cleanly cut through by the falling blade of the useful and expeditious guillotine; nor would anyone have regretted her demise. Thus ends the history of this sordid murder, which was made prominent solely by the foolish action of the French newspapers who were on the look out for a sensation.

DESPERATE AFFRAY IN Portland Prison

A STATE OF SIEGE.

"Millbank for thick shins and graft at the pump;
Broadmoor for all lags as go off their chump;
Brixton for good toke, and cocoa with fat;
Dartmoor for bad grub but plenty of chat;
Portsmouth a blooming bad place for hard work;
Chatham on Sunday gives four ounces of pork;
Portland is worst of the lot for to joke in—
For fetching a lagging there is no place like Woking."

CRUTCHY QUINN, "10 and ticket" (10 years penal servitude and police supervision).
Scratched on Convict's tin plate.

THOSE who have availed themselves of the privilege to inspect one or more of his Majesty's prisons will hardly realise the possibility that a revolution were possible within its walls, or that unarmed convicts could find the means or opportunity to defy those who are there to control them. Yet, more often than we ever hear about, strange scenes have taken place when determined and fierce prisoners combine to use force with their guards, and one of those rare affrays—which was more or less hushed up at the time—we shall presently relate.

The émeute, which was really of a fearful nature, took place at Portland during the April of 1874, and was very nearly developing into a tragedy, attended with much bloodshed and loss of life. Before, however, recording the facts of the incident, we will ask our readers to accompany us upon an imaginary visit to this, one of the greatest convict strongholds of the world, so that they will be more readily able to understand the possibility of such a scene being enacted, and to still marvel at the extraordinary ingenuity and daring exhibited by the principal desperadoes engaged in the revolt.

Let us to the prison of Portland, then, which is built upon the summit of the island of that name, and looks down upon the sea from the height of about 500ft. The island itself is a huge mass of stone, and on all sides, except upon the south, it is girt by a ridge of high rocks. As the convict, chained by the wrist to a brother "lag," climbs the steep three miles of winding road from the shore to the island top, he has a variety of opportunities of studying the difficulties that would attend an attempt at gaining his liberty. In the first place, he sees that it would be no easy matter to get to the opposite coast, even if the shore were reached. He also perceives the difficulty of getting to that shore, for the military barracks command it from the heights, and the sentries have orders to fire on a flying convict. Near to the prison itself he sees the civil guard, with loaded rifle and bayonet fixed, posted on every spot of vantage and patrolling the narrow street that leads to the iron gate. Once within these, he stands in the midst of cold grey walls, where he would, one can imgine, lose any thought of gaining freedom. Yet there are some of the most desperate ones who seem never to relinquish all hope, and who are ever on the alert to find accomplices who will join them in some hazardous but invariably futile attempt.

Michael Davitt, the political convict, with personal experience of many prisons, whose "Leaves from a Prison Diary" is before us, gives a wonderful description of criminal life and character in his work. He splits the average roll of twelve hundred prisoners (this being about the full complement for Portland) in the following manner: "It will be

found," he says, "that, say, six hundred pass through their terms of imprisonment without a single report being made against them for breach of discipline—a discipline probably without a parallel in its treatment of human temper in any other services, civil or military, in the world—three hundred more will be reckoned well-conducted prisoners; two hundred and fifty will comprise very troublesome prisoners, that is, men of refractory disposition, and guilty of occasional outbursts, against whom there are frequent reports. The remaining fifty will be almost entirely unmanageable, desperate in their attacks upon fellow-prisoners, and occasionally upon the warders, being apparently insensible alike to the kind service of chaplain or priest, or to any leniency or punishment at the hands of sterner officials. It is by prisoners of the latter class that warders have been occasionally murdered in convict prisons."

It is to this fourth class that we wish to call particular attention. They are made up of three types as a rule. The first is, according to Mr. Davitt, "the nearest approach to

HAD ONE OF THE WARDERS BY THE THROAT.

Charles Dickens's hero, Bill Sykes, so far as the criminal in the flesh can well correspond to that of the novelist." He adds, though, that "murderers are never found in this class in prison. The 'bruiser' is a compound of pugilist, bully, sneak, and cadger; an incorrigible ruffian out of prison, and dangerous when in it, both to his fellow-prisoners and to the officers. He seldom passes out of prison without having had one or more interviews in the flogging-room with the warder who wields the 'cat.'"

The "bounce" and the "common bounce" are a type still lower. They are both professional leviers of black-mail, and will stop at nothing; the "common bounce" is the wretch whose favourite and peculiar crimes will not bear description. And these three types when able to combine, as they succeeded in doing upon this memorable occasion, to which we shall presently refer, are the pests of the prison-house, and one is glad to know that they are generally loathed, even by their companions in penal servitude.

It was in the month of March, 1874, that the seeds of revolt were first sown by one or two of the scum of the prisoners, who had unfortunately been linked up in one gang, and whose quarters were, for the convenience of taking them to exercise and to the "public works," all together. In fact, the cells of the ringleaders adjoined each other, which, to begin with, was much in favour of the carrying out of their bold attempt. It must be known that in all prisons the old "lags" have a method of conversing to their next-door neighbour when in confinement, and this is done by placing the wooden tables against the walls in each cell, so that the tops of the two are only divided by the thickness of the bricks which separate them. The exact position is arrived at by the prisoners responding with sharp raps, so that it is easy enough to locate the table. Then the ear is placed upon the top of the table by both of the convicts desiring to communicate, and the tapping commences, and is heard from one cell to the other with great distinctness. The signals are worked much on the same lines as telegraphy, sharp, successive knocks answering for the dots, and those with greater pause between as the dashes. Of course, only the old experienced "lags," who have made a study of this sort of thing and are smart and well up to the mark, could communicate freely and perfectly by this method. But it is done. Again, convicts at Portland have greater facilities for conversation than would be possible at some of our prisons, such as Wormwood Scrubbs and Wandsworth, for whilst at work hewing stones or working on the land, or even in the shops, they find an opportunity now and again of mumbling one to the other, in spite of the warders' vigilance. Not only by these means can the clever, experienced "lag" be in touch mentally with some of his fellows, but all of them who "have been through the mill" understand the deaf and dumb language, and can communicate with great rapidity by means of their fingers, or signs of the hands, and even movements of their lips.

So, you see, it is not so difficult for men with all these accomplishments to hatch a plot, if only the opportunity presents itself. That it did to this dangerous gang in Portland Prison in the spring of 1874 is certain. How long they had been working the business out perhaps never will be known; but it must have been weeks, perhaps months, for them to have enlisted nearly the whole of their number (about a dozen) into the service of the insurrection. Every one of them knew what was on the tapis, and only awaited

the orders of the ringleaders, whilst the warders, although they knew they had a rough lot to deal with, never dreamed of any outrage, and felt that they had their men well in hand.

It was on the evening of April 6. The weather had been very dull and misty, and, as usual at such times, a special look-out was kept. Two experienced warders, named Mitchell and Linsey, had charge of twelve, notorious as belonging to the "bruiser" and "bounce" class, and, exercise being over, they were being conducted to their cells. The men had been strangely silent, and not once had either of them been called to order—an unusual thing for men of this type, who were constantly in trouble, and cared little or nothing for the loss of good conduct marks. Nearing the hall, into which they had to pass to get to their cells, one of their number gave a sharp whistle, and, springing forward, had one of the warders by the throat, whilst at the same time another brought his mate to the ground. So suddenly was the attack made, that neither Mitchell nor Linsey had an opportunity of shouting, and they were upon the ground, being well-nigh choked, whilst those convicts around

Ran off and told the guard.

them kicked away at their heads and bodies in a most unmerciful manner.

All was done so quietly and quickly that no alarm whatever was given, and it seemed certain that murder would be committed, for some of the convicts were struggling to get the warders' swords free, and had it not been that a fight took place for possession of them, it is certain that the unfortunate officers would have been cut to pieces.

As it was, their injuries were bad enough, as they lay bleeding and semi-unconscious, the hand of a burly convict clutching at the throat and hissing curses into their ears.

Then suddenly there was a succession of shrill whistles, and the sound of footsteps at the double. As good fortune would have it, two of the gang, seeing that murder was likely to take place, and "funking" it, ran off, and told the guard what was happening, and brought about a rescue.

So smart were the convicts, however, that before the officers came up, they had made a rush pell-mell into the hall, and, brandishing the two swords which they had taken from the wounded warders, made for the cells, five crowding into one. By some feat of herculean strength and by the assistance of the swords, they managed to tear some of the sheet iron from the door, and to so far injure the lock that the gaolers were unable to effect an entrance. The most vigorous efforts were made to force the door, without effect, and every attempt was greeted by the most violent and derisive cheers from those inside, which were taken up by all the prisoners along the several corridors of that part of the prison, until the place became a perfect pandemonium, whilst the language was something terrible to hear.

So strongly had these men barricaded the door that at length the authorities, not wishing to excite the other prisoners further, resorted to persuasion, and a parley consequently ensued. After much talk and the elapse of a considerable time, the convicts consented to surrender on a promise from the governor that they should not be thrashed. They then opened the door, and were marshalled to their respective cells.

Nothing on that evening was said to them. Each man received his pint of cocoa and his six-ounce loaf. But on the following morning it was discovered that both Mitchell and Linsey were so injured that the doctors were unable to say what might happen to the unfortunate men. Consequently, the whole gang, save the two who had raised the alarm, were sent to the punishment cells, there to refresh themselves for weeks upon bread and water and await the report as to the recovery of their victims.

How the whole matter turned out was never made public, although through certain channels we learned afterwards that the promise was faithfully kept. The men were not flogged, nor were they put on trial for murder, as the warders eventually recovered. But when those ten convicts, some months after the exciting affray, appeared before their fellows in the exercise grounds, nobody would have recognised them; with sunken eyes and hollow cheeks they tottered along under the weight of the chains before them, and were undoubtedly wiser but sadder men.

Whatever punishment had been meted out to them, it had left its mark, and possibly they would have preferred the flogging if they had had their choice.

The two ringleaders wore hideous dresses, parti-coloured black and drab (each colour showing down half the body), the others parti-coloured drab and brilliant yellow. The former denotes that the wearer has assaulted the warders, and the yellow marks the man who has attempted an escape. They all wore chains six and a-half pounds in weight, held to the wrist by a strap and riveted on each ankle. These fetters are worn night and day—sometimes for six months, when the wearers are in the penal class on restricted diet with other discomforts.

And so these men walked along at the rear of the other gangs, their chains clanking at every step, grotesque and painful objects, with sorrow stamped upon their wasted visages, betraying their sincere regret at having attempted to escape from Portland Prison.

Joshua Slade.

A MALEFACTOR named Joshua Slade was executed very many years ago for the brutal murder of the rector of Little Stakely, in Huntingdonshire. Apprised of the date of execution, he expressed some concern, though he had hitherto shown much indifference to his fate and apathy as regards his crime. He asked to see the chaplain of Huntingdon Prison.

"Look'ee 'ere, sir," he said, "I ain't a-goin' to grumble at bein' 'anged—that's all fair and right—but my uncle he promised I ten pound on my twenty-fifth birthday. That's the day as you are goin' to 'ang I. I say, put it off to the next day, and let a man 'ave his little bit of good fortun' and enjoy it!"

This request was, for certain reasons, acceded to, and Slade had two bottles of wine on his natal day out of the "tenner" which his relative, rather proud of the prisoner's "fame," handed over.

Preferable Violence.

IN the year 1821 two ruffians—burglars by profession and murderers by choice—were tried and convicted for the barbarous slaying of an old lady at a house in the Clapham Road. The residence in question still stands, and is situated about two hundred and fifty yards from the Swan at Stockwell, on the opposite side of the road, going towards that well-known hostelry, The Plough. The two men had, between them, strangled the old widow with the strings of the cape she was wearing. The prisoners made no comment of any kind as they were leaving the dock after sentence had been passed; but when they were taken below to have their irons fixed on, one turned to the other and said naïvely, "Ah, Bill, I telled yer as 'ow we was tying the old girl up a bit too tight. Much better if we'd 'it 'er a couple of smacks on the 'ead with the cosh (life-preserver), as I suggested!"

Criminal Questions:

THE VALUE OF IDENTIFICATION.

ONE of the most difficult questions which present themselves to the criminologist is that dealing with identification. There are many excellent systems which can be employed to make certain that a person who has once been convicted shall be recognised again should he fall into the hands of the police, and with these we shall deal in a future article, but the identification which we are now about to consider is the recognition of a supposed criminal by a person or persons who saw him commit the offence.

The present method is for the suspect to be placed in a row with a number of other persons, and then for the identificators to be introduced one by one and asked to select the man. This might be a perfectly legitimate test if it were properly carried out, but it is easy to see how the police can make it a mere farce. Take the recent Beck case. The women who had been robbed, or who said they had been robbed, declared that the thief was a man with a grey moustache, and was elderly. The police placed Mr. Beck, who is elderly and has a grey moustache, among a lot of young men, not one of whom had a grey moustache, and then, of course, the women were led to fancy that Beck was the man who had victimised them. There, clearly, the police had an innocent man identified as a criminal for purposes of their own. Again, if an offender is described as wearing a frock coat and tall hat, and a man thus clad is placed in line with a number of persons dressed in fustian, tweeds and flannels, it cannot be considered fair identification if the well-dressed person is picked out and labelled as the culprit.

At the same time it is hard to suggest a substitute for the present system. If it were possible to enforce the rule which says that the suspect shall be placed in company with a number of persons similar in feature and similarly clad, and then exhibited to the witnesses, then there might be some value in the recognition of a prisoner, but as that cannot be done, the best plan would be to totally ignore all identifications in which the person identifying has not known the suspect for at least six months. True, by this rule some great offenders would escape justice, but at the same time many innocent folk would be saved from unmerited disgrace. If this cannot be done, then the next most satisfactory procedure would be for the suspected person to be taken for a walk in company with a plain clothes police officer in the course of which promenade he might pass the witnesses, also out for a stroll. If there was no arranged spot for the meeting to take place, and the witnesses were not cautioned by the officer in charge of them, then some reliance might be placed on such an identification.

One thing is certain, the present method enables the police to arrange that any given person shall be identified with little difficulty, and consequently is a temptation to unscrupulous officers who are keen on securing a conviction.

A Severe Penalty.

AT the South Western Police Court the other day a prisoner charged with felony was pleading hard for leniency, urging in support of his claim for mercy that he had a wife and five children dependent on him. The magistrate told the prisoner that the Bench had listened to his story, and had decided not to send him to prison.

"You will, however, have to pay a fine of five children and costs," concluded the "beak."

The prisoner's jaw fell at the severity of the penalty, but he faintly inquired, "What did you say, sir?"

"Five shillings and costs," was the reply, and the prisoner heaved a sigh of relief and paid the money.

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DAINTY NOVELS
ONE PENNY WEEKLY.

Leaves from Our Notebook.

The Delightful Chinee.

THE more one studies the character of the Chinaman the more one trusts that the "Yellow Peril," of which the Kaiser dreams incessantly, may be averted. One form of punishing criminals is not yet obsolete in that backward Empire. In certain parts of China they are executed by the simple process of keeping them perpetually without sleep. In such circumstances some have been known to survive for ten days, but they are raving lunatics when death comes, a veritable angel of mercy, to end their sufferings.

What's in a Name?

IT is astonishing how criminal history repeats itself. Even the names of victim and murderer crop up again. One of the two persons killed in 1896 by Seaman, the Whitechapel assassin, was named Sarah Gale. A Sarah Gale was tried with Greenacre in 1837 for the murder of Hannah Brown. No less than three Maria Martins have been murdered since the Red Barn, Polestead, tragedy of 1827, and three Frederick Bakers have been hanged—four have been convicted of wilful murder—in sixty years. Deeming is a most unlucky name. Nearly everyone bearing that ill-fated patronymic has met with misfortune at some time or another.

"Home, Sweet Home!"

IN the year 1867 a certain notorious young murderer was brought from the county gaol to attend the inquest on the remains of his victim, and, during the proceedings, he was incarcerated in the local lock-up. Huge crowds collected outside this place of detention, while he was being taken to or from the court, to witness his arrival or departure. By this concourse he was—as his deed befitted—received with every expression of disgust and fury.

When—the coroner's inquiry at an end—he was taken back to the county gaol at Winchester, the young miscreant gave a sigh of relief. "Dear! dear!" he said, mopping his fevered brow with a bright red handkerchief, "I am quite glad to get back. I shan't have to face that furious mob again. It's quite peaceful here." And he proceeded to sing, in quavering tones, a verse of that most pathetic of all ballads, "Home, Sweet Home"!

A Ghost?

A SERIES of murders was committed at a certain house in Liverpool in the year 1849. The place was turned into a small private hotel, and remains so to this day. In the year 1885 a commercial traveller obtained a night's lodging there, and was given the room in which the murderer had washed his hands after the slaughter.

"How did you sleep?" asked the then landlord, when the visitor came down into the bar for an "eye-opener" the next morning.

"Very well—very well indeed," was the reply; "but I was disturbed once by a very odd thing. A young, stout-built fellow in Wellington boots and a plaid coat came into my bedroom and started to wash his hands and dry them on the towel. I called out to him, thinking he had mistaken the room, but he made no answer, and calmly threw the dirty water under my bed. I was indignant, I can tell you, but the floor is quite dry this morning. Who is he?"

The landlord did not say, for the visitor was a stranger and knew nothing of the sanguinary history of the house in question. But he thought a little! The murderer had hurled the blood-stained water under the bed after he had washed his hands and dried them in the manner described.

REPLIES TO QUERIES

TOTTERDOWN (Leeds).—The house is still standing, and is tenanted. People forget so easily.

LINOTYPE.—(1) The Eltham Murder is not one we can deal with—at present. The man is alive. (2) In 1881.

SID (Lambeth).—Dr. Charles Grimes was tried for the attempted murder of two policemen in a house in Euston Square, in 1876. You are confusing this with the "Euston Square Mystery of 1879."

MELVILLE (Stroud).—The scene of the murder by Mr. and Mrs. Manning was Miniver Place, Bermondsey. The name of the street was changed in 1850, as the houses could not be let.

Printed and Published by HAROLD FURNISS, at Caxton House, Gough Square, Fleet Street, London.

Sole Agents for the Colonies—GORDON & GOTCH, London; Melbourne; Sydney; Brisbane; Perth, W.A.; Wellington, N.Z.; Christchurch, N.Z.; Cape Town & Durban, S.A.